

LAW ENFORCEMENT NEWS

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Carter unveils LEAA reorganization bill, calling plan "a clean break" with past problems

The Carter Administration's long-awaited plan to revamp LEAA was unveiled last month in the form of a legislative proposal designed to divide the agency into three functional sections that would be coordinated by a newly-created Office of Justice Assistance, Research and Statistics (OJARS).

In announcing his "Justice System Improvement Act" at a July 10 White House Rose Garden ceremony, Carter noted that passage of the bill "would be a major step forward in our nation's efforts to control crime and improve the administration of justice."

Repeating a charge he made during his 1976 campaign, the President characterized the present LEAA configuration as being "uncoordinated and ineffective" in its attempts to control crime.

"In providing financial assistance to state and local government, the LEAA program has never been as efficient or effective as originally intended," Carter told the gathering of legislators, criminal justice officials and reporters. "A complex bureaucratic structure has enveloped the Federal effort, involving state and local law enforcement officials in excessive regulation,

complexity and mountains of red tape."

To lighten the bureaucratic weight of the agency, the Carter proposal would relieve LEAA of its research and statistical duties, placing those roles in a separate National Institute of Justice and a Bureau of Justice Statistics.

LEAA's remaining chore of funneling Federal money to states and localities will be streamlined and redirected under the President's four-year reauthorization plan. Carter noted that the legislation is designed to produce a 75 percent reduction in grant application paperwork by reducing "statutorily mandated requirements" from 25 to 8 and by permitting states and localities to submit comprehensive three-year plans.

While the proposed legislation eliminates requirements for state and local governments to provide matching funds before they can receive formula grant assistance, it sets limits on how the funds can be used.

"Strict limitations will be placed on the use of funds for equipment, hardware, administrative expenses, and general salary expenses," Carter said. "These limitations should result in additional LEAA funds for programs which will directly impact on the fight against crime and which will improve

our judicial system."

States with high crime rates will be eligible for a larger piece of the grant pie, if the legislation is approved by Congress. The President noted that 17 states currently have 55 percent of the nation's serious crime and about 45 percent of the total population. "Under our proposals, those 17 states would receive additional funds to disburse to their local areas with the greatest crime problems," he said.

A White House fact sheet on the legislation revealed that the distribution of extra funds will be based on a computerized formula that is designed to eliminate guesswork in state and local budgetary processes. The announcement added that no state would receive less than its normal share, as determined by population, and that local court and corrections expenditures would be calculated into the formula.

In an effort to redefine the relationship between states and localities with regard to LEAA funding, the legislation calls for a fixed annual allotment of formula monies to cities with more than 100,000 residents and to counties with populations exceeding 250,000.

Although the bill authorizes such localities to select their own programs and projects, the local applications would be reviewed by the state for compliance with Federal requirements and state law, duplication with other projects, and inconsistencies with statewide priorities. Disagreements that arise through process would be settled through arbitration.

A related section of the legislation would replace state planning agencies with criminal justice councils on which representatives of major cities and counties would constitute one-third of the total membership. The bill also mandates that slots would be reserved on the state panels for neighborhood and community group leaders.

Stressing the need for citizen participation in the LEAA grant allocation process, Carter noted that "private citizens and neighborhood and community organizations will have a vital role to play. The participation of neighborhood and community groups in the development and approval of state and local applications will be assured."

The legislation calls for an \$800 million annual appropriation to the new OJARS superagency, \$50 million of which would be earmarked for the Bureau of Justice Statistics and the National Institute of Justice. The authorization would run from October 1979 to September 1983.

Existing LEAA programs that would continue to be funded under the bill include the Law Enforcement Education Program (LEEP), the Public Safety Officers' Death Benefit Act and the Community Anticrime Program. Money would also be specifically set aside for a National Priority Grants Program which is designed to support replication of existing programs that are found to be particularly effective in fulfilling their goals.

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Baltimore's Pomerleau named to third term as PD head

A 115-year-old tradition of state-appointed police commissioners in Baltimore came to an end last June, when the mayor and the City Council of the metropolis appointed Commissioner Donald D. Pomerleau to his third consecutive six-year term.

Pomerleau was sworn in on June 14 at a City Hall ceremony which was attended by Mayor William Donald Schaefer and other dignitaries. Chief Judge Anselm Sodaro of the Supreme Bench of Baltimore City administered the oath of office.

Former Maryland Governor J. Millard Tawes appointed Pomerleau to his initial term in 1966, and in 1972 the commissioner was reappointed by Governor Marvin Mandel.

Pomerleau's most recent appointment was made under the terms of a new state law which transfers the authority to select a police commissioner to the city. "Since the Civil War, the appointment authority had rested with the governor of the State of Maryland," a police department announcement noted.

A graduate of the 55th session of the FBI National Academy, Pomerleau was a co-founder of the bureau's National Executive Institute, which he attended in 1976.

He has also completed training programs at the Federal Bureau of Narcotics Training School and the U.S. Border Patrol Academy.

In addition to his regular administrative duties, the commissioner is a member of the Governor's Commission on Law Enforcement and the Administration of Justice, and he serves on the Mayor's Coordinating Council on Criminal Justice.

On the national level, Pomerleau serves as an advisory member of the U.S. Chamber of Commerce and is chairman of the Major Cities Chief Administrators, an organization which is composed of the chiefs of America's 29 largest cities. He is also a member of President Carter's National Strategy Council on drug abuse and drug traffic prevention.

After taking the oath of office for the third time, Pomerleau assured the mayor that his department will continue to serve honorably and well, and he said that he looked forward to the challenges that he expects to encounter in the next few years.

Pomerleau thanked the men and women of the force, noting that they were responsible for the progress made by law enforcement in Baltimore.

Regular skills testing urged for nation's crime labs

Continuous proficiency testing of the nation's crime laboratories is feasible and necessary to ensure the proper delivery of forensic services to the criminal justice system, according to a three-year study which found "a wide range of proficiency levels among the participating laboratories."

Conducted by the Forensic Science Foundation under a \$330,904 LEAA grant, the study developed a methodology for monitoring the competency of crime labs by analyzing sample tests that were completed by about 250 local, state and Federal forensic installations.

The scores of the final six tests were released by LEAA last month, and the agency noted that "the results were comparable to those of 15 earlier tests whose unacceptable responses ranged from two percent for drug analysis to 71 percent for bloodstains."

Commenting on the relatively poor showing by the participating labs, Dr. Joseph Peterson, the executive director of the foundation, indicated that the raw test results were of secondary importance to the overall project. "Our primary purpose was to learn how to test," he said. "At the end of this, we believe we know how to conduct a proficiency test that can monitor and upgrade crime lab services."

Peterson acknowledged that the results of the study point out shortcomings in the performance of many of the labs. "We recognize that there are serious problems but the labs need better support," he noted. "Law enforcement agencies at all levels must recognize that the findings are symptomatic of low budgets and a lack of human resources."

A report on the project will be available in September.

NewsBriefs . . . NewsBriefs . . . NewsBriefs

ATF taps its #2 man to serve as acting director

The second-in-command of the Bureau of Alcohol, Tobacco and Firearms, John G. Krogman, was sworn in as acting director of the bureau last month, following the June 30 retirement of Rex D. Davis.

Krogman's appointment was made by Treasury Secretary Michael Blumenthal, who simultaneously filled the post vacated by the 44-year-old Milwaukee native by naming Stephen E. Higgins, ATF's assistant director for regulatory enforcement, as acting deputy director.

A 22-year veteran with the bureau, Krogman headed ATF operations in 10 states before becoming deputy director in 1976. His accomplishments as an investigator include a successful crackdown on an Illinois gang which advocated violence and the resolution of 1969 case in which a violator was charged with possession of several hundred illegal machineguns, according to ATF.

A bureau announcement noted that

while he was on duty in California, Krogman was recognized as "a leading authority" on the activities of terrorist bombers. "He has since become a prime mover in the bureau's pilot program to combat gun crime in major metropolitan areas," the announcement stated. "He [also] works closely with scientists developing an explosives tagging system to detect and trace bomb explosives."

In becoming the bureau's second ranking official, Higgins, 39, will assume a major role in managing programs carried out by the 4,000 ATF employees stationed throughout the nation and in Puerto Rico. Higgins joined the agency in 1961, and in 1975 he was selected to head the ATF regulatory enforcement office, thereby becoming the youngest assistant director in the agency's history.

\$5.5M in cop death benefits awarded in first half of 1978

LEAA distributed \$5.5 million in Federal funds to the beneficiaries of 110 public safety officers and firefighters who were killed in the line of duty during the first six months of 1978.

In announcing the half-year total, an agency spokesman noted that the awards, consisting of \$50,000 in each case, were made under the provisions of the Public Safety Officers' Benefits Act. The law provides for the survivors or state and local police, corrections, probation, parole, and court personnel; firefighters, and members

of legally organized volunteer fire departments who are fatally injured in the performance of their jobs.

LEAA publishes guides for protecting individual privacy

A series of LEAA-drafted guidelines designed to protect individual rights in the operation of criminal intelligence systems were published in the Federal Register recently in the first attempt to induce grantees to include specific privacy safeguards in carrying out their intelligence activities.

First published in draft form last February 8, the guidelines have been revised to incorporate many of the 27 public comments which were solicited when the tentative rules were released. Most of the changes involve strict controls to prevent infringement of constitutionally protected activities, according to LEAA.

"The purpose of the guidelines is to establish LEAA policy to ensure that grants for intelligence activities are not used in violation of the privacy and rights of citizens," the agency said.

In announcing that the guidelines had been published in final form, LEAA suggested that states adopt the principles or similar standards for intelligence systems financed with LEAA block grant funds.

Data sought in study of police/prosecutor relations

The Institute of Criminal Law and Procedure at Georgetown University has begun soliciting information about the relationship between police and prosecutors as part of a nationwide Federally-funded study on the topic.

Dr. William McDonald, who is directing the project, said in a recent announcement that the study is particularly interested in data regarding existing programs or procedures which attempt to improve police/prosecutor cooperation. "We would be interested in learning about any such program including such things as disposition feedback arrangements, special training programs involving police and prosecutors, special complaint-handling procedures (i.e., complaints by police prosecutors about each other), efforts to establish joint or cooperative law enforcement policy-setting procedures, or other programs," he noted.

The project is also seeking information about unpublished monographs or pending studies which might be relevant to police/prosecutor relations.

To contact the researchers, write: Dr. William McDonald, Project Director, Institute of Criminal Law and Procedure, Georgetown University Law Center, 605 G Street, Washington, DC 20001. Senior prosecutors and police officials are invited to call collect at (202) 624-8223.

Calif.-based private security training school wins state OK

A California-based security firm recently opened a state-approved training school designed to teach would-be private investigators and security executives the rudiments of scientific investigation and effective loss prevention.

Operated by the Educational Division of Western Security Systems and Services, the training facility will offer a wide range of fully accredited courses, covering such areas as preventive security, surveillance and stakeout, interrogation statements, investigative report writing, industrial sabotage and espionage, juvenile cases, and security against civil disturbance.

A major feature of the school's curricu-

lum is a nine-month, 540-hour program in scientific investigation, which has been designed to qualify students for work as security consultants in all areas of the investigative field and to prepare participants for written private investigator exams.

The private institution will also expand on the training of persons who are already involved in the security field. A number of "field of endeavor" courses will be provided for veteran investigators to increase their knowledge in specific areas.

Vernon R. Turcotte, a veteran of 40 years in the security and loss prevention field, has been appointed director of the school. Describing the rationale behind the new training effort, he noted "For years, industrial and commercial businessmen, in their search for competent security executives and investigative personnel, have complained about the alarming shortage of professionally trained people in the security industry. We believe that these fully-accredited courses will assist those present management employees seeking to upgrade their knowledge in a variety of areas."

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Nation's DAs briefed on uses of videotape in confessions

Last month's annual mid-summer conference of the National District Attorney's Association featured a demonstration of the use of portable television recording equipment to tape a defendant's confession as a cost-efficient means of bringing a "real-life" record of his statement before a judge and jury.

Presented by the Bronx, New York District Attorney's Office, the exhibit covered the New York City borough's experience with the recording procedure, including the legal parameters employed and detailed descriptions of the physical setup and operation of the equipment.

In a statement to prosecutors who attended the Hershey, Pennsylvania conference, Bronx District Attorney Mario Merola praised the videotaping technique, indicating that it could be useful in jurisdictions throughout the United States.

"For the last two-and-a-half years," he said, "our office has been using portable video cameras to record events that would otherwise just appear in the cold dry language of a stenographer's transcript. These instantly reviewable videotapes have allowed us to significantly improve our procedures in obtaining statements from defendants and witnesses at a very reasonable cost."

Merola's second assistant, Assistant District Attorney Helen Johnson, supervised the actual demonstration of the LEAA-funded project, providing a step-by-step rundown of operational procedures.

"The need for video recordings of a defendant's [confession] is determined by an assistant district attorney (ADA) who then calls the video-recordings office directly or if necessary uses a radio paging signal to contact a video technician," she said. "The defendant, always in police custody at this

time, has not yet been arraigned."

Johnson noted that the Bronx utilized two technicians and a clerk, who are supervised by an ADA. The necessary equipment consists of a portable video camera and recorder, a microphone, camera lights, batteries, and a wall clock which becomes part of the taped scene to assure the court that the tape has not been edited or otherwise tampered with.

In addition to the defendant, participants at a typical recording session include the camera operator, a recording stenographic reporter, an ADA, and a police officer who is assigned to the case. "At most sites the equipment and operator are out of direct view of the defendant, though the defendant is always shown the equipment prior to taking his statement," Johnson observed. "The clock is running and always visible behind the defendant."

Regarding the legal implications involved, the assistant district attorney said the subject is always told of his right to refuse to be videotaped and is informed of all other rights on camera. "The defendant can interrupt the session and direct that the camera be stopped at any point," she added.

To preserve the integrity of videotaped statements as evidence, the finished reel is placed in a sealed envelope and is later duplicated, resealed and stored in a safe location. The copy is reviewed by the ADA assigned to the case and is made available by request to the defense attorney and to any other official involved in the case. "Tapes have been shown to investigating police officers, psychiatrists, judges, grand juries, forensic specialists, [and] interpreters," Johnson said.

Noting that the overall procedure has re-

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IACP backs Bell in refusal to divulge names of informants

Attorney General Griffin B. Bell's stand in refusing to reveal the names of FBI informants was applauded by an important segment of the law enforcement community last month, when the leadership of the International Association of Chiefs of Police issued a strong statement of support for Bell's actions.

Covening in Washington at its regular quarterly session, IACP's Executive Committee expressed concern for the future of law enforcement informant programs if Bell is forced by a Federal judge to identify the FBI informants who participated with the bureau in its surveillance of the Socialist Workers Party.

The judge, Thomas P. Griesa of the Federal District Court in New York City, has already cited Bell for contempt of court for his refusal to reveal the names of the informants in a \$40 million civil suit brought by the Socialist Workers against Federal agencies accused of illegally interfering with the party.

While Bell's sentencing for the contempt citation has been postponed to allow time for appeal, IACP leaders are apparently worried about the suit's implications for law enforcement. "Informants must be closely guarded in terms of their identity," IACP President Howard C. Shook said. "When they are recruited or when they volunteer their services they do so with the understanding that anonymity is assured. We applaud the Attorney General of the United States for his stand on this issue and we hope that citizens recognize the value of informant programs to successful law enforcement."

Elaborating on Shook's argument, other members of the IACP governing panel indicated that the image of the police informant has been tarnished. They added that

individuals who offer information to law enforcement authorities are called informants, while people who provide tips to the news media are considered to be "informed sources."

Glen D. King, the executive director of the association, contended that police cannot do an adequate job without information from individuals who are not a part of the law enforcement system. "If courts can force officials to reveal names, then these sources are simply not going to be available to law enforcement," he warned.

Pointing out that providing police with information concerning criminal activity is an honorable action, King said that it is the threat of retaliation against informants that makes protecting their anonymity important.

"We can document cases of retaliation against people who have provided information in criminal cases," Shook stated, "and we must not set a precedent of ignoring the value of either human life or stymieing the flow of valuable information."

Police Foundation to study police role of women, minorities

The Police Foundation recently secured LEAA funding to conduct a national study that will explore the employment of women in policing, and the private institution plans to use its resources to finance a related assessment of sworn minority officers in the nation's law enforcement agencies.

Foundation President Patrick V. Murphy announced the initiation of the parallel projects from the group's Washington, D.C. headquarters last month. "We know that there has been some progress in the use of women and minorities in policing, but we don't know how much, and we don't know how the recent fiscal squeeze at state and local levels has affected the hiring and retention of women and minorities," he said. "These two assessments should provide solid answers to these questions."

The year-long study of the use of female police personnel will cover all 50 of the nation's state police agencies and will include a random selection of 450 local police departments which serve populations of 50,000 or more. An LEAA grant of \$100,000 has been awarded to fund the study, according to a foundation spokesman.

Specifically, the two assessments will utilize surveys and on-site case studies in an attempt to determine the number and percentage of female and minority sworn officers, their distribution by rank and assignment, and the effect of police agency personnel practices on the roles of women and minorities.

Several topics will be highlighted in both studies including recruitment, selection and training procedures; opportunities for mobility within police departments, and practices which promote or hinder the hiring, retention and promotion of women and minority officers.

Cynthia Sulton has been named as project officer for the assessments. She has worked within the criminal justice system on both Federal and local levels.

Since its establishment in 1970, the Police Foundation has sponsored several research projects on minorities and women in law enforcement.

Toughest drug law in US a bust, lawyers say; impact on heroin use and drug crimes near nil

New York State's stringent antidrug law, considered to be the toughest in the nation, has failed to reduce the use of heroin in the state and has had no apparent impact on New York's drug-related crime rate, according to a Federally-funded study.

The research project, which was initiated by the New York City Bar Association shortly after the 1973 law went into effect, indicated that the mandatory sentencing statute failed to significantly deter illegal drug use and traffic due to administrative problems within the state's criminal justice system.

"For such a law to be an effective deterrent, it had to be effectively enforced and the threat of the law's sanction had to be clearly perceived by drug users and traffickers as an ever-present reality," the report said. "Apparently, however, most offenders and would-be-offenders never felt the full threat of the law."

Noting that the criminal justice system "did not increase the threat" of certain punishment for the offender, the researchers observed that the mandatory sentencing law affected "only an end product of a long criminal justice process — the convicted offender." Other steps in the judicial process — arrest, bail, indictment and conviction — were not covered by the 1973 law.

"Drug law offenders have always enjoyed extremely low odds of being arrested

for any single offense," the study explained. "That low risk of arrest apparently did not increase under the 1973 law."

The researchers found that police in New York City were in a position to make large numbers of street level arrests for drug offenses, but that they hesitated to do so mainly because they correctly believed that such a practice would clog the court system. Meanwhile, law enforcement agencies outside of New York City could not increase arrests as easily, the report said, because their local drug markets were not as open and widespread.

Although the law mandated that any person convicted of selling heroin must go to prison for an indeterminate period, ranging from one year to life, the report noted that the statute did not change bail practices, thus maintaining a situation which tended to "dilute" the threat of penal sanctions.

"The diluting effect of immediate bail release might not be great if cases were promptly and speedily processed," the study said. "But the slow handling of drug law cases reinforced the impression that the law was not being, or could not be, enforced."

Comparing the rate of drug felony indictments for two specific periods, the researchers found a decline from 39 percent to 25 percent since the 1973 law went into effect. However, the report noted that the drop should not be attributed to the

stricter law.

"First, there was a comparable decline in the frequency with which non-drug arrests resulted in indictments," the report stated. "Second, it was only after an indictment had been returned by a grand jury that a defendant fell under the plea bargaining restrictions of the 1973 law."

The conviction rate under the stringent drug law also fell from 86 percent of drug-related dispositions in 1972 to 80 percent in early 1976. "Thus, only one-fifth of those originally arrested in 1976 for drug felonies were ultimately convicted (80 percent of the 25 percent indicted), a decline from roughly one-third under the old law," the study observed.

According to the report, persons convicted for drug felonies under the 1973 law were more likely to be incarcerated, but that this was offset by the decline in the likelihood of drug traffickers ever being convicted. Study figures revealed that a defendant arrested for a drug felony under the old law faced an 11 percent chance of receiving a prison or jail sentence, while under the 1973 law, the chance for incarceration was an identical 11 percent.

"As a result of these developments, some of which worked to limit the impact of the 1973 drug law, only the relatively small number of drug felons who were convicted encountered the real difference between the old drug law and the new

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Internal affairs approach to fighting corruption analyzed

Police corruption can best be controlled through the implementation of a proactive, systemwide internal affairs capability, according to a recent workshop which was held in Key Biscayne, Florida and which featured a number of the nation's top criminal justice executives and educators.

Sponsored by the Federally-funded Institute for the Study of Law Enforcement Standards and Practices (ISLESP) and the Metropolitan Dade County (Florida) Public Safety Department, the three-day seminar primarily addressed problems involved in creating command accountability for anti-corruption initiatives, in formulating effective policy guidelines in the area of police ethics, and in developing methods for overcoming the negative aspect of the process of police socialization.

In a session entitled "The Impact of Political Corruption on Police Integrity and Effectiveness," New Orleans Police Superintendent James C. Parsons noted that "political and police corruption are the same in that they are both violations of the public trust."

"Political corruption is less obvious than police corruption," he added. "Political corruption is more difficult to deal with because of the autonomy of the people who are elected to office."

Parsons indicated that one root cause of police corruption is the failure of law enforcement agencies to "socialize" their personnel with information on what the community demands. "We don't prepare our people for what our job is," he said, "and we don't explain what goes on, they don't

like their job."

Following Parsons, Chief Robert di Grazia of the Montgomery County, Maryland Police Department compared his present post with his experience as commissioner of the Boston force and as superintendent of the St. Louis County, Missouri police. He noted that "there really isn't too much difference" between corruption in an urban setting and corruption in a suburban community, but that "ways of approaching it" may differ.

"People do not look at corruption or dereliction of duty in most professions in the same light they do police officers," the Montgomery county chief said. "People expect more. . . . The difference lies in the two powers police officers have — to remove someone's liberty, and to remove someone from the face of the earth in a 'lawful situation.'"

Di Grazia echoed Parsons remarks, noting that police are not adequately trained to cope with the stress created by their roles. "We give them the 'how to' but do not tell them what's really going on out in the street," he declared.

The Montgomery County chief called on his colleagues to take a "proactive" stand on corruption. "You can't sit around waiting for something to happen. An open administration, both internally and externally, is important."

Florida State Attorney Janet Reno also urged workshop participants to air instances of corruption in public. "The ultimate check, I think, is a full disclosure," she said. "Go public as much as possible as

long as it doesn't interfere with competent investigation, and as long as it doesn't interfere with administrative policy."

Emphasizing that trust between the State Attorney and the police officer is essential, Reno observed that "99 9/10 percent of the police in this country are honest, but there is a tendency to think that prosecutors are on the other side."

The Florida official said that a spirit of cooperation exists between herself and police officers in the state because the officers know "that I'll back them up when they're right." She added, however, that "if they do something wrong, they also know I'll prosecute."

In a presentation entitled "Commissioner: A View from the Top of Law Enforcement," former New York City Police Commissioner Patrick Murphy discussed the problems with which he was confronted during the Knapp Commission's investigation into police corruption in that city.

Murphy, who currently heads the Police Foundation, stressed the importance of "motivating people to be honest — motivating them to want their department to be honest."

Commenting that the only way police can be effective in combating crime is for them to work closely with the community, the former commissioner called on administrators to "do every thing within reason to have officers interact with the public. However, this interaction doesn't necessarily mean that the officers are being exposed to more corruption through this interaction."

Murphy stated that there are two means by which a reform chief can get the attention of his personnel in the area of police ethics. "First, in the most sincere way you know, tell them that [they must be honest] and spell it out clearly," he said. "If possible, tell them in a public way. Don't make it confidential — let a reporter in so the public knows what you're trying to do."

"Second," Murphy continued, "make sure that after the date you announce that new policy is in effect, make sure that any officer engaging in unethical practice will be dealt with much more severely. To show cynics in the department that you're not only talking for the press or public relations, you have to show that you'll lower the boom if the need arises."

Another key session at the workshop, entitled "Administrative and Policy Decision Regarding the 'Turn Around Cop,'" featured several speakers, including Deputy Commissioner Matthew McPartland of the New York City Police Department, Dr. Richard H. Ward of the University of Illinois, Dr. Albert Reiss of Yale University, William McCarthy, a retired deputy commissioner of the NYCPD, and E. Wilson Purdy, the director of the Dade County

Public Safety Department.

In utilizing a formerly corrupt officer who is willing to act as an informer, Purdy said, a police executive should "realize that the 'turn around cop' can provide information to jar the entire system, because seldom do we find police corruption in isolation. If there is police corruption to any great extent, there usually is corruption in the prosecutor's office, in the courts, and in the rest of the system."

Purdy warned that after a chief uses such an informer, he has to "live with the effects that this will have on the system."

Discussing a method of preventing corruption before it starts, Dr. Allan Shealy of the University of Alabama outlined how the pre-employment screening of applicants can be a critical factor in anti-corruption management. Shealy detailed studies he has conducted with police departments in Portland, Oregon and Birmingham, Alabama which illustrate the importance of psychological testing and screening in the recruit employment process.

Other featured speakers included Hubert Williams, the director of the Newark, New Jersey Police Department, who addressed the topic, "Executive Insularity: Its Effect on Anti-Corruption Policies"; Michael Shaheen Jr. of the Justice Department's Office of Professional Responsibility, who spoke about internal affairs problems in Federal agencies, and Dr. Kurt Neudek of the UN's Crime Prevention and Criminal Justice Branch, who discussed the International Code of Conduct for Law Enforcement Officials.

The Key Biscayne seminar was the first in a series that is being sponsored by the Institute for the Study of Law Enforcement Standards and Practices, which was created last January to integrate the findings of an LEAA-sponsored anti-corruption study with other research areas, including law enforcement selection standards, job relatedness of police training, and police and civil rights.

According to its director, Robert J. McCormack, the institute which is based at the Criminal Justice Center of New York City's John Jay College of Criminal Justice, "will provide a broader approach to the study of police standards and practices than could be adapted under the auspices of a single grant."

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Supreme Court Briefs

Following are summaries of recent actions of the United States Supreme Court that affect law enforcement and criminal justice.

By AVERY ELI OKIN
Sentencing

In determining the length of sentence to be imposed on a convicted offender, a trial judge may take "into account his belief that the defendant's testimony contained willful and material falsehoods, and assessing, in light of other knowledge gained about the defendant, the bearing of such falsehoods on his prospects for rehabilitation," Chief Justice Burger announced in a 6-to-3 decision.

The Court granted review of this case — a departure from the tradition of side-stepping judge's motivations in criminal sentencing — "only because of the trial judge's laudable explication of his reasons for imposing the sentence in this case," Justice Stewart noted in his dissent. After testifying in his own behalf on a charge of escaping from a Federal prison, the defendant was convicted and sentenced "to a term of two years imprisonment, consecutive to his unexpired sentence."

At the sentencing hearing, the District Court judge had stated: "I'm going to give my reasons for sentencing in this case with clarity, because one of the reasons may well be considered by a Court of Appeals to be impermissible. . . . In my view a prison sentence is indicated, and the sentence that the Court is going to impose is to deter you. . . . Secondly, it is my view that your defense was a complete fabrication without the slightest merit whatsoever. I feel it is proper for me to consider that fact in the sentencing and I will do so."

As anticipated by the trial judge, the Court of Appeals for the Third Circuit vacated the sentence in a 2-to-1 decision and ordered resentencing. The two judges who voted to vacate the sentence noted a prior Third Circuit decision, *Poteet v. Fawcett*, 517 F.2d 393, 395 (1975) where it was held that: "the sentencing judge may not add a penalty because he believes the defendant lied."

Rejecting the appellate court's reasoning, the Supreme Court observed that "a defendant's truthfulness. . . while testifying on his own behalf, almost without exception, has been deemed probative of his attitudes toward society and prospects for rehabilitation and hence relevant to sentencing." In addition, all but the First and Third Circuit have affirmed the concept "that the attitude of a convicted defendant with respect to his willingness to commit a serious crime (perjury). . . is a proper matter to consider in determining what sentence shall be imposed within the limitations fixed by statute."

In the sole dissent written by Justice Stewart with which Justices Brennan and Marshall joined, it is noted that there was an assumption made "that the respondent gave false testimony at his trial. But there has been no determination that his testimony was false." The dissenters arrived at the conclusion that "all defendants who choose to testify, and only those that do so, face the very real prospect of a greater sentence based upon the trial judge's unreviewable perception that the testimony was untruthful."

This decision by the Supreme Court, which affirms the right of a judge to determine the length of confinement, based on

all the facts, including a personal informed view of whether a defendant lied in open court, is a reconfirmation of the government's right to protect the welfare of all citizens. (*United States v. Grayson*, No. 76-1572, announced June 26, 1978)

First Amendment

In another decision written by the Chief Justice, the Court divided 4-to-3 in an action curtailing the scope of the First Amendment. The opinion of the Court, in which Justices White and Rehnquist joined, established that "neither the First Amendment nor the Fourteenth Amendment provides a right of access to government information or sources of information within the government's control."

This case specifically established the position that the "news media have no constitutional right of access to the county jail, over and above that of other persons, to interview inmates and make sound recordings, films, and photographs for publication and broadcasting by newspapers, radio, and television."

Following the suicide of a prisoner in the Greystone area of the Santa Rita Jail, reporters for radio and television stations KQED "requested permission to inspect and take pictures within the Greystone facility," which was denied. KQED, together with the Alameda and Oakland branches of the NAACP, filed suit to gain access to the jail and obtain injunctive relief.

After the complaint was filed, Sheriff Houchins announced that six monthly tours of the jail were already planned "at an estimated cost of \$1,800." KQED reporters participated in the first tour but were unable to photograph the "little

Continued on Page 12

BURDEN'S BEAT

By ORDWAY P. BURDEN

Fear is a crime deterrent as juvenile offenders meet NJ lifers

Recently, Rahway State Prison in New Jersey has been the destination of field trips for youths 13 to 16 years of age. Since 1976 lifers at Rahway State Prison have been performing a public service by offering selected groups of teenagers a realistic look at life behind penitentiary walls. These youths are brought to Rahway in groups of 20 to 30, and then seated in an enclosed area for a no-holds-barred talk about the sordidness of confinement.

The teenagers, who are primarily boys, are children who have already been arrested for minor offenses. The Rahway lifers do everything they can to frighten and verbally intimidate the youths. For example, it was reported that one inmate lifted a boy from his chair, held him at arms' length, and discussed the subject of homosexual rape. Prisoners call the boys every kind of name they have picked up on the streets and in jails; they ask youngsters why they are fighting so hard to get into prison when everyone in there is aching to get out.

Statistics compiled during the as yet short lifetime of the program point toward success. Of the 3,500 youths brought to Rahway Prison, only 100 have again been picked up by police.

The lifers group began in December 1975, when the group's present president, Richard Rowe, a 38-year-old convicted of rape and kidnapping, decided to organize inmates for activities that would give more meaning to their lives. He and another inmate, Bob Clement, put their heads together. Clement had met Andrew Vaches, a lawyer from New York, in 1972. Vaches had been a superintendent of a juvenile prison in Massachusetts during the 1960's. That prison was completely staffed by ex-offenders. In a two year period no one was ever returned to the prison.

The first group of teenagers was brought in some months later. A newspaper reporter accompanying this group of five boys and four girls from the streets of New Brunswick, all unemployed high school dropouts with records, noted the change on their faces as the tour progressed. They entered the prison giggling and cocky, but quickly became serious, then terrified, as they viewed the three by three foot maximum security holes where inmates who violate prison rules are sent for a month.

Probation officers accompanying the youths were locked out during talks with the inmates. The teenagers were attentive as they listened to one inmate recall a prison murder committed over a package of cigarettes and saw a scar received by an inmate who had inadvertently bumped into another in the mess hall.

For the first year of the project inmates paid for stationery, phone bills and postage with their \$30 monthly salaries. The Lifers Group then received \$2,000 from the state of New Jersey to cover these expenses. The New Jersey State Department of Corrections also spends \$15,000 annually on the salary of an official liaison to the group.

The Lifers Group has participated in other civic projects, including a walkathon last fall to raise money for the Deborah Heart and Lung Hospital at Browns Mills. Business and civic organizations pledged one dollar for each mile walked. About 700 inmates walked approximately 10 miles apiece within the prison. They were joined by members of Local 105 of the Patrolmen's Benevolent Association.

(Ordway P. Burden invites correspondence to his office at 651 Colonial Blvd., Washington Township, Westwood P.O., NJ 07675.)

US park policing hurt by jurisdictional woes

Crimes ranging from vandalism to felonies are becoming increasingly prevalent in Federal recreation areas, according to a report by the General Accounting Office, which noted that jurisdictional and management problems are weakening the enforcement effort in the public lands.

In releasing his agency's findings, last month GAO Comptroller General Elmer B. Staats said that he is urging Congress to enact legislation that would broaden and clarify agency jurisdiction over law enforcement on Federal land. Currently, six separate Government agencies have overlapping responsibility for policing the Federal tracts.

As reported in the *Wichita Eagle and Beacon*, Staats also recommended a national policy on visitor protection that would be based on an inter-agency program which was suggested by the report.

Conducted by the National Wildlife Federation, the GAO study was based on field visits to 24 of the nation's most frequently utilized recreation areas and on questionnaires which were sent to 1,637 employees who were involved in law enforcement activities at 174 areas.

"Evidence collected shows that crime is a real problem at recreation areas," Staats said, adding that 85 percent of the respondents reported that crime occurs on a "se-

nious" scale at the public grounds.

Three basic problems with providing good protection to visitors were cited by the GAO report, including limited statutory authority for agencies, lack of applicable Federal statutes to deal with some types of crime and weakness in management and enforcement programs.

Staats remarked that in some areas a confused picture of jurisdiction is present, in which more than one agency may have recreational authority. He added that if a state has management rights on a tract of Federal land, the area may not specifically be subject to Federal regulations or policed Federal agents.

"There are areas where people must rely on state and local officials for assistance," he further explained.

Although he acknowledged that the agencies involved have implemented visitor protection policies, the Comptroller General said more must be done to assure visitors a constant level of protection in all areas.

With this in mind, he called for a national protection policy that would provide guidelines for the agencies involved. Under the proposed program, the Office of Management and Budget would oversee the development by agencies of stronger crime prevention measures in tracts under their

jurisdictions.

The findings of the GAO report and Staats' comments about it have received a mixed reaction from a number of Federal agencies concerned with the management of Federal lands. Officials at Yosemite National Park and at some national wildlife refuges applauded the Comptroller General's stand on the need for greater law enforcement powers on public land. However, spokesmen for the U.S. Army Corps of Engineers and the U.S. Forest Service argued that the present levels of law enforcement are sufficient.

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With reservations, police win praise from Canadian reporters

Most newspaper reporters in Canada feel that they have a "relatively friendly and positive" working relationship with local police agencies, however some voiced complaints about specific police and court policies which tended to restrict their access to criminal justice information, according to a recently released survey.

The study, conducted by the Canadian Daily Newspaper Publishers Association, polled police and court reporters and managing editors of daily newspapers throughout Canada. Six questions were used to determine a "rough composite measure" of the positive and negative feelings which exist between the police and the journalists, as viewed by the newsman.

"The questions used included police constables' and senior police officers' opinions of journalists, police opinions of the rights of ordinary citizens, the relationship between the respondents' newspaper and police, the validity of police information given to journalists, and police opinion on the degree of sensational news in the press," the researchers explained.

Based on the composite responses to the six inquiries, the report said 65 percent of the participants indicated that their professional encounters with the police have been "positive, cooperative, open or friendly," while only 20 percent of the journalists responded negatively regarding their overall relationship with law enforcement personnel.

A majority of those polled noted that there are limits which tend to strain their interaction with the police. "Seventy-two percent of all respondents feel that police constables are usually not free to discuss cases with them," the report noted. "Similarly 68 percent of the respondents feel that only senior police officers are allowed to give information on cases."

While "a substantial majority" of the journalists questioned said that police in their area "care about the rights of ordinary citizens," many felt that some segments of society are given preferential treatment. Almost half of the respondents said that police deliberately withhold information from the media when "people of considerable influence or power" are being investigated, while 65 percent agreed that law enforcement personnel become tight-lipped in cases involving the investigation of their colleagues.

Regarding other information gaps between the press and the police in Canada, the survey found that police "Overnight Occurrence Logs" are never made available to almost a third of the respondents and that on the whole journalists "experience more difficulty gaining access to information and responsible persons with the federal police than they do with the provincial or municipal police."

The report said that 74 percent of those polled believe that printing or broadcasting the names of persons taken into custody "creates an immediate assumption of guilt in the mind of the general public." However, 41 percent of those surveyed said that the media should have free access to the name of any adult charged by the police, and that 96 percent believe that they should have free access to the name of any adult convicted of any crime.

A number of the journalists questioned

indicated that court restrictions are making their job more difficult. A majority said that bans on the publication of courtroom proceedings are becoming more frequent, and over one third of the respondents feel that they "should be treated differently than the ordinary citizen in a court of law." The report noted that approximately one in every five respondents has had some special or formal training in law.

Canadian judges received low marks from 10 percent of the journalists, who noted that the jurists in their area "are hostile to some extent towards newspaper journalists." Police line officers fared worse in a similar question, with almost two out of every five of those surveyed responding that police constables in their region tend to be hostile toward reporters.

Justice Dept., police execs open meetings

The first in a series of meetings designed to give law enforcement executives direct access to the Justice Department was held in Washington last month, with participants voicing concern over such issues as the possible exclusion of small agencies from Federal support and the potential impact of California's Proposition 13 on policing.

Organized by the International Association of Chiefs of Police, the session was attended by Deputy Attorney General Benjamin R. Civiletti, top IACP officials and representatives of local, state and Federal law enforcement agencies.

ICAP Executive Director Glen D. King stressed his group's commitment to the nation's smaller police forces, noting that of the more than 15,000 law enforcement agencies in the country approximately 80 percent are staffed by 10 or fewer personnel.

"Our concern is that any program which systematically excludes small departments from Federal support effectively disenfranchises a large segment of the law enforcement community and just as effectively has an impact on the citizens served by the agency affected," King noted.

Civiletti assured the group that he would not abandon the smaller departments, and that he would work to see that all needs are met, if possible, in combatting crime.

Howard C. Shook, the president of IACP, noted that his group has been conducting a lobbying campaign in support of the proposed revision of the Federal Criminal Code. "We support most provisions of the code and the response we have had indicates that a great many others do also," he said. "We hope that it does not die in the House as it now would appear."

In a discussion about the implications for law enforcement of the passage of Proposition 13, various participants pointed out that there are very real problems facing public safety agencies both in California and across the rest of the country where a grassroots tax revolt seems to be gathering momentum.

Police Chief Odell H. Sylvestre, Jr. of Berkeley, California noted that "it may not be the intent of voters to diminish service provided by police, but it certainly seems that it may end up that way."

PUBLIC FORUM The need for sound management in police property rooms

The detective or special agent can conduct an excellent case which combines following up leads, contacting sources of information, employing technical surveillance and many other aspects of solid investigative technique. But physical evidence often turns out to be one of the investigator's most valuable aids in carrying the investigation to a successful conclusion. If often produces leads during the course of the investigation which help in establishing the guilt or innocence of the accused when he appears in court.

It is not enough, however, for the law enforcement agency and its detectives merely to collect physical evidence in a skillful manner. The agency must properly handle and care for the evidence beyond the time of collection in order to preserve it for the development of new leads, for laboratory examination and analysis and for its ultimate presentation in a court or hearing.

Handling is indeed a real problem. It involves storing the evidence in a manner which retains the integrity of the item in its original condition or as nearly as one is able to, and which maintains a proper chain of custody to ensure its evidentiary value. Proper transmittal to the laboratory, to and from court, and the ultimate disposition of the evidence when it is no longer needed as an item of evidence are all responsibilities of the law enforcement agency.

One of the problems too infrequently alluded to is the need for correctly and efficiently maintaining an evidence room. In his book *Crime Scene Investigation*, Donald O. Schultz commented "The basic requirements for an evidence room are as follows: The room must lend itself to meet the physical requirements set forth by the local police department standards (and often, state requirements). The design of the room should allow construction of bins, shelves, and cabinets that can be secured with lock and key for additional security. The overall capacity of the room must be adequate to accommodate the normal amount of evidence handled by the department involved. Internal fixtures necessary to the evidence room include a refrigerator for perishable or unstable items; shelves or bins for orderly arrangement of appropriate items of evidence; a desk or table for the evidence custodian and a file cabinet for evidence files, the size dependent on the amount of evidence handled; and safes or filing cabinets, not smaller than a field safe, one to be used for items of evidentiary value, the other for marijuana, narcotics and dangerous drugs."

Manifestly, Schultz is talking about a small operation. In reality, evidence rooms vary greatly in size and their problems differ in degree of incidence and seriousness.

However, deterrence of temptation to dip into the evidence stored in the property room must also be regarded as a prime responsibility of police management. This is a requirement of the evidence room which goes beyond the fundamentally physical requirements recited by Mr. Schultz, although much of what he discusses is aimed in this direction.

As an example, Patrick V. Murphy, president of the Police Foundation and former New York City police commissioner, lamented the fact that he had a \$10,000-a-year clerk in charge of the billion dollar property room of the New York City Police Department at the time he took over. In his book *Commissioner: A View from the Top of American Law Enforcement*, he commented that "Next to Fort Knox, the Property Clerk's office of the New York City Police Department probably contained more wealth per square foot of office space than any other building in the country. In addition to a great deal of cash, there was also a tremendous amount of narcotics seized and stored as evidence which in the street was convertible into a fortune."

Murphy further elaborated on the problem, stating, "In the New York City Police Department, evidence seized in a case was stored by the department until final disposition of the legal proceedings — appeals and all." As a result, the evidence room, through years of accumulation, had on hand every conceivable item one could imagine, and many dated back substantial years. It was a veritable "grab-bag" for the person willing to be corrupted.

Later on in Murphy's tenure as Commissioner, a scandal broke which dated back to the stewardship of previous commissioners. Eighty-one pounds of heroin from the so-called French Connection case, estimated to have a street value of \$10 million, were discovered missing. When a careful audit was finally completed, it was discovered that 88 additional pounds of heroin and 31 pounds of cocaine were also missing.

The moral of the NYCPD evidence room scandal is that evidence handling and the evidence room should be run like a good bank. Regular inventory taking and strict custodial control should be such that temptation is removed from all personnel within the department or agency, from the lowest levels to those on the top. Evidence which is no longer needed and which, through various circumstances, is unreturnable, represents a real temptation to those willing to be tempted. Liquor, clothing, oriental rugs and a variety of items have been rumored to have "walked" out of evidence rooms.

The time to insure that there is never any corruption within the evidence room is before the fact. Systems should be so rigid and proper that the individual is not tempted to walk off with a given item. Evidence rooms and banks surely don't look alike and they are functionally unrelated. But they have a few things in common. They often contain fortunes within their walls and they can be a source of internal corruption if not properly managed.

Worth Watching:
On August 17, the CBS television network will present "The Police Tapes," an exciting documentary that explores patrol work in one of New York City's most crime-ridden precincts. Check listings for the time and channel in your area.

Jay Robert Nash ON CRIME

The not-so-sweet disappearance of a candy heiress

Helen Voorhees Brach, 66-year-old heiress to the candy fortune of Chicagoan Frank Brach — an estate valued at \$30 million to \$200 million — vanished on February 17, 1977. She was last seen as she stepped from a gift shop in Rochester, Minnesota after purchasing \$41 worth of cosmetics, following a visit to the Mayo Clinic where she had undergone a routine check-up and had been told to lose some of the 145 pounds on her 5-foot-8 frame.

Only one person swears that Helen Brach returned from Rochester. Jack Matlick, a 52-year-old houseman and chauffeur who has worked at the Brach seven acre estate in Glenview, Illinois for 25 years, insists that he picked up Mrs. Brach at O'Hare Airport on February 17, 1977 and returned home with her where she stayed for four days, refusing to take phone calls or see anyone. To this day, Matlick adamantly sticks to the story that on the following Monday, February 21, he complied with his mistress' order and drove her to O'Hare where the red-headed heiress, clad in a black ensemble and carrying only an overnight bag, walked into the terminal and then utterly vanished. Matlick states that Mrs. Brach was headed for Miami, where she owned a condominium. No airline records exist of Mrs. Brach's alleged Chicago-to-Miami flight.

Though many have doubted Matlick's claim, it was well-known that Mrs. Brach traveled extensively, flying often each year from her Glenview home to her summer house at Tappan Lake, Ohio, sometimes to

Florida to see friends, sometimes to New York to soak up the nightlife. It was a way of using up the time since her candy magnate husband Frank Brach died in 1970 at the age of 80.

Helen Voorhees met Frank Brach when she was a hostess in a swank private club in 1951, marrying him more than three years later, thus becoming his third wife. (Brach's second wife screamed that Helen was a man-stealer who had inveigled Brach into a secret hotel trysts in Miami; she was bought off for \$400,000.) As Helen Brach, the heiress redesigned the packaging for Brach candy all in pink, her favorite color. Of the many cars she kept at the Glenview estate, from a Rolls Royce to several Cadillacs, one new auto was always pink.

In the years following Brach's death, Helen became increasingly generous in spending the millions in her coffers. Fortunes were lavished upon plastic flowers, a horde of mystics who attempted to contact "the other side" on the heiress's behalf, and animal protection societies. But no one came into Mrs. Brach's life in recent years who could pass for a likely murder suspect, for, according to most authorities, it is felt that Helen Brach has been murdered.

Oddly, Mrs. Brach's disappearance was not reported to police until March 9, seventeen days after Matlick says she flew to Miami. The report was made by Helen's brother, Charles Voorhees, Matlick, and the heiress's reclusive accountant and executor, Everett H. Moore. (Voorhees and

Matlick later admitted that they had burned Mrs. Brach's diary and some private letters which they claim they did not read.)

Matlick has undergone two lie detector tests which, according to his own attorney, he has flunked. Following Mrs. Brach's disappearance, Matlick cashed almost \$15,000 in checks benefiting him. The signatures on the checks, according to Mrs. Brach's bank, were crude forgeries. Matlick says, however, that Mrs. Brach hurt her arm when a trunk lid fell on it and the injury inhibited her writing ability.

In time since her strange disappearance, city, state and Federal investigators have been searching for Mrs. Brach in Miami, New York, Rio de Janeiro, on board cruise ships, and in hospitals. Private detectives hired by parties interested in Mrs. Brach's estate have made a circus out of the disappearance; one of them — recently convicted and sentenced to a two-year term for wiretapping — inferred that Mrs. Brach was dispatched through a meat grinder and possibly fed to her own dogs.

If there is one man convinced that he can locate the missing heiress, that man, who has been energetically denied entry

into the case by executor Everett Moore, is Anthony J. Pellicano, perhaps this country's most prominent sleuth when it comes to tracking down missing persons.

This writer first became acquainted with Pellicano some years ago when researching a book entitled "Among the Missing," a history of missing persons. His reputation was well established by then. Inside of one month Pellicano had solved the five-year-old disappearance of Robin Reade, daughter of a wealthy Lake Forest, Illinois family, locating her body in 1977 on the slope of a Hawaiian mountain. It was also Pellicano who led newsmen by the nose to the body of producer Mike Todd after it had been stolen from its grave. Pellicano takes credit for solving 3,987 cases dealing with missing persons.

He would like to add one more, and quickly, that of Mrs. Helen Brach. In a recent conversation with Pellicano, the missing person specialist told this writer that if he is allowed (no doubt by the unreachable Mr. Moore) to enter the case: "I guarantee the location of Helen Brach, dead or alive; otherwise no payment shall be due for any services that I may render."

In the vast and confusing world of the missing, offers such as Pellicano's are rare, if not unheard of. Personally, I believe Pellicano would solve the case if permitted to enter it, such has been his professional record. It remains for Mr. Everett Moore and company, if they truly want the heiress found, to agree.

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Va. city continues to lead US in auto theft prevention

Police in Hampton, Virginia reported last month that the city's vehicle theft rate dropped significantly during the first third of 1978, continuing a trend in which Hampton has had the lowest stolen vehicle rate in the country for cities with more than 100,000 residents.

A police department spokesman noted that during the first four months of this year, only 78 vehicles were stolen in the

how once the investigator identifies a significant number of the individuals committing a particular crime and gets the criminal out of circulation that the number of crimes will decrease significantly," he said.

The figures seem to support Minetti's argument. For the first reporting period this year, the investigative section of the Hampton Police Division is credited with scoring a 31 percent clearance rate for vehicle theft investigations.

This year's rate is "far above" that recorded in 1977 during which investigators were successful in clearing approximately 14 percent of the motor vehicle thefts, according to the Hampton department. While last year's rate matches the national average, it was still above the normal rate for larger American cities.

"One of the main reasons for the exceptional clearance rate is Detective John Crigger of the General Assignment Squad of the Hampton Police Division," a spokesman noted. "Detective Crigger has the responsibility of investigating stolen vehicles within the division and has gained considerable insight through schooling and street experience."

Revealing his main investigative strategy, Crigger said that stolen vehicle investigations should not be conducted on a case by case basis. He explained that, as with most crimes, clearances occur through working with people and uncovering information about the offenses through in-

Continued on Page 16



Det. John Crigger

city, compared to 98 for the same period in 1977, representing a decrease of 16 percent.

Police Chief P.G. Minetti attributed the decline to the "exceptionally high" clearance rate for stolen vehicle cases in the city. "It's just another good example of

Criminal justice research in W. Germany

An interview with Dr. Edwin Kube of the West German Federal Office of Criminal Investigation

Since 1973, Dr. Edwin Kube has been the chief of the Criminalistic and Criminological Research subdivision of West Germany's Federal Office of Criminal Investigation (Bundeskriminalamt). He had previously served as a professor of public administration at the *Fachhochschule für Öffentliche Verwaltung* at Kehl-am-Rhein, as well as acting as deputy to the county chief of Landrat.

Dr. Kube studied law at the Universities of Heidelberg and Mainz, and received his Doctor of Laws degree on the strength of a thesis in criminology. He is the author of a number of professional publications addressing such areas as organization, communication, guidance, criminology and criminalistics.

This interview was conducted for Law Enforcement News by Harry O'Reilly.

LEN: Perhaps you could begin by describing some of the ongoing projects at the Bundeskriminalamt?

KUBE: Within the Bundeskriminalamt there is a research unit in the field of criminology and criminalistics, which was established in 1973. The aim of this subdivision is to improve police methods, to improve crime prevention techniques, and also to improve the information in the field of developing patterns and extent of crimes. We are financed to perform studies with an empirical approach and I'd like to talk about some of those studies.

LEN: The people who do the actual research, are they police personnel or civilians?

KUBE: The unit consists of senior law enforcement officers, sociologists, psychologists, economists, technicians and so on. Though we have an interdisciplinary team within our office of criminal investigation, if we are of the opinion that institutes of universities are especially well informed in subject areas in which we are interested, we also finance such studies in other institutions. However, we supervise the study so the police-oriented aspect is always guaranteed.

LEN: So you have a cross section, then, of academics, people from helping professions, and from the various areas of the criminal justice system?

KUBE: Yes, we have about thirty researchers in this subdivision and we are especially interested in police-oriented research, not only in research which deals with the theoretical bases of criminology.

LEN: It appears that you are looking into a variety of topics. Can you talk about some of the projects which you are currently supporting?

KUBE: I can give you a short review of several of the things we are doing. One project aims at the legal and ac-



Dr. Edwin Kube

kriminalamt. This point is related to the question of whether, and in which ways we should advertise to gain the support for the police with psychologically-oriented advertising similar to that used by industry; by no means, however, do we want to create an atmosphere of observation and denunciation within the population. One more very important study is one dealing with murder and attempted homicides of policemen. The results of this study will be used to improve the rules of action for the policeman's protection in the field and to offer material for use at police training schools.

LEN: The last project you mentioned is of great importance to the working policeman, probably more important than any of the others, because we are talking about the loss of human life. In this country, we annually publish a report which analyzes the homicides of police officers and which seeks, as your project does, to find the patterns and reasons for the officers' deaths. Can you tell me some specifics about your approach to this problem?

KUBE: This project has become especially important in Germany in connection with combatting terrorism. Each year five to eight policemen have been killed in connec-

patrolling. Others which are not so heavy are often useless because the weapons used by the criminal can penetrate them. The problem we have is to find out what is the optimum. I believe that one of the officers of the GSG9 who freed the 91 victims at the hijacking (with the consent of the government of Somalia) was shot by a pistol, but his life was saved because of the fact that he wore a bullet proof vest. I think this is very important, to find the right kind of body armor which won't be too heavy and uncomfortable but still will be sufficient to do the job. The problem is that terrorists often use high caliber weapons which require heavier protection than is practical to wear around the clock.

LEN: One question that must always be dealt with when conducting research projects that involve the police profession is how do we utilize the findings of the study to have an impact on the performance of the working policeman on the street. . .

KUBE: . . . I think this is one of the most important questions in the field of police-oriented research, because research in this field is only useful and effective if you are successful in implementing the findings inside the organization or if you are successful in influencing the behavior of the individual policeman. I think it is not enough to publish or publicize the report even though many of the police will read the report. There is always a balance between influencing attitudes and behavior on the one side and changing beliefs and opinions on the other side. We try to train the police officials in both of those ways.

LEN: A common complaint of the police officer in this country is that so much money and time is spent on research and studies and nothing happens to improve his job. This is a problem that those in the criminal justice professions have to attack. Do you have any insights that you can share as to how you propose to utilize the findings of these projects and to convince your officers of the value of these findings?

KUBE: Our most important target group for the results of research reports are the instructors within the police academies. We must try to convince them that the results of our research work have been to find systems, techniques and ideas that are more appropriate and more effective than those which have been developed only by the daily routine and experience of the individual police officer. Therefore, we try to influence the curriculums of the training schools and we try to make summaries of our reports for instructors to use in teaching police officers. We are also interested in seeing that the instructor simulates situations so that the officer is not only informed theoretically, but that he will have been exposed to practical situations as well during a training course.

Another aim of our research is to improve special regulations within police forces and to inform legislators as to what is more effective in special areas. For example, in combatting juvenile delinquency, our research may help to find more efficient organizational systems in the field — better way of keeping juveniles out of the criminal justice system through some form of diversion. Those children who only occasionally commit crimes as juveniles, perhaps, should be kept out of the criminal justice system.

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"We are of the opinion that when officers are killed or injured in service, situations are frequently similar and avoidable."

tual possibilities of preventing fraud, with primary attention paid to giving advice to the potential victims; another study is meant to improve police work in the field of youth services by establishing a more effective organization. Still another is devoted to a study of victimization in the area of sexual offenses. We have also focused on the methods and techniques of criminal investigation, and the source of errors made by testifying witnesses, as well as in written statements, was examined last year.

At present we are looking into the actions of the police when recording the facts at the scene of the crime and the handling of the reconstruction of the modus operandi. It is quite informative to see how experience, routine habits, stress, and negligence affect the work of the police officer. We expect to come to the conclusion that training of police officers will have to be made specific and that better use will have to be made of the results of research projects than have been up to now.

In the field of crime detection, we presently have under study the question of which medium is best able to reach the public and witnesses as fast as possible, and how they might be better motivated to react. The reasons for the public's unwillingness to cooperate and for feeling apprehensive cannot yet be entirely explained, but the matter is being studied under the supervision of the Bundes-

tion with terrorist acts. Our study has not been finished up to now but we are of the opinion that when officers are killed or injured in service, situations are frequently similar and avoidable. This is based on a comprehensive analysis of records in which about 150 cases of intentional homicide and about 100 cases of attempted homicide of police officers are being investigated. The study aims at developing proposals for improving measures by which police officials can take care of their own security. This would include the use of educational films, briefing, training and practice to inform officers about typical sources of danger during service and about methods to avoid them.

LEN: How extensively is body armor used in your country?

KUBE: It is becoming more and more important in use with political activists, I would say. For instance, the case which was publicized in your country, the hijacking of the of the Lufthansa airplane at Somalia in October of last year. Most of the police officers of the Special Unit of the border police called the GSG9 wore bulletproof vests. I know that one of the reasons that not one of these policemen was killed or hurt was because they wore vests. One problem for us is that most of the vests which are very secure are too heavy to wear during the whole shift or while

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"Funds and resources expended in the field of crime fighting, especially in crime prevention, are a worthwhile investment on the part of society, and, if successful, will reflect in an improved economy."

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LEN: This might require legislative changes in your existing system.

KUBE: This is true, because one of our principles is called the principle of legality. The police are required to report each criminal offense which has been committed to the public prosecutor, and the prosecutor is the only one who is able to settle some of the less serious offenses outside of court. The juvenile offender who has been in the criminal justice system may be stigmatized and might define himself as a criminal in the future. Therefore, one of our aims is to find out those indicators and factors which would show us who of the juveniles is the greatest danger to himself and society. These should be treated within the criminal justice system — by punishment, treatment or in correctional institutions. On the other hand, the concept of diversion should help us to weed out the young people who might define themselves as criminals and for whom a court appearance might be the first step in a criminal career.

Congressional leaders pledge support for Carter's LEAA plan

Continued from Page 1

Commenting on the bill's creation of a National Institute of Justice, Carter noted that the proposed research unit would combine the functions of LEAA's National Institute for Law Enforcement and Criminal Justice, the National Institute of Corrections, and part of the duties of the Institute of Juvenile Development and Research.

"The National Institute of Justice will be authorized to undertake basic and applied research, and to conduct evaluations and sponsor demonstrations in the civil and criminal justice areas," he said. "It will centralize the Federal effort to determine how the Federal, state and local governments can most effectively attack the crime problem and strengthen their justice system."

Regarding the proposed implementation of a Bureau of Justice Statistics, the President remarked that the agency would be authorized "to collect, analyze and disseminate statistics on criminal and civil justice matters."

However, the bill does not authorize the new data agency to take over the compilation and publication of the FBI's Uniformed Crime Reports. Deputy Attorney General Benjamin Civiletti told the Rose Garden gathering that the FBI would retain control over the nation's most widely-recognized crime measuring instrument "until it becomes compelling to have the UCR changed over."

Attorney General Griffin B. Bell, who played a major role in shaping the proposed revision of LEAA, indicated that the new data bureau would provide "uniformly high quality and reliability" for Federally-funded statistics programs. "We need solid, in-depth information if there is to be intelligent use of public funds to fight crime," he noted.

Describing the entire legislative package as "a clean break" with LEAA's past difficulties, Bell noted that the bill "goes to the heart of longstanding problems." "The overall program created by the President's legislation would develop a new structure with genuine substance," he added.

While Congress may not prove to be as enthusiastic as the Attorney General is about the revamping of LEAA, two key congressional leaders, Sen. Edward M. Kennedy (D-Massachusetts) and Rep. Peter W. Rodino (D-New Jersey), were on hand at the plan's unveiling to voice their support.

Kennedy, who co-authored the bill, is expected to be the chairman of the Senate Judiciary Committee next year when the measure is due to come up for action before the panel. He noted that the legislation "has strong bipartisan support in the Senate, it recognizes the importance of corrections, rehabilitation, I'm hopeful we'll get early consideration and early passage."

Meanwhile, Rodino promised to involve himself in a "total commitment" to help push the measure through his House Judiciary Committee. "The anticrime community program, the setting up of the red tape, that's all going to be, I think, in the right direction," he said.

LEN: Your research projects are obviously funded by public funds, and as such the public has a right to know the findings of your research. How do you make the public aware of your findings and the valuable uses you intend to make of them, perhaps as a stimulus to encourage additional findings?

KUBE: This is especially important to all research units, to prove that the resources used in their field are worthwhile for society. Therefore, there must be communication between researchers and the police on the one hand and researchers and the public on the other. Instructors and police chiefs must be made aware of findings and means of implementing new procedures and ideas; the public must be informed, since the financing of the projects comes from their tax money. Researchers at universities and other institutions must also be informed, since we are very interested in having dialogue with them. As you know, empiric approaches are not always optimal approaches, and we must consult and collaborate with university professors and others who help to develop effective approaches for our research. This is only possible by an exchange of information and dialogue.

We have within my office an advisory committee which consists of two very famous researchers in West Germany, Professor Kaiser and Professor Tiedermann, and two high-ranking police officials, Dr. Schreiber and Dr. Stueinper. In addition, our research unit has received enthusiastic support for all of our projects from the president of the Bundeskriminalamt, Dr. Herold.

LEN: Do you utilize the mass media to release the results

of your studies?

KUBE: Yes, we do, but sometimes the newspapers and broadcasters have a tendency to spread fear through sensational crime reporting. We are interested in cooperating closely with the media to give an accurate picture of the crime situation. Let me give you an example of what I mean. Victimization studies have shown that there are a considerable number of crimes which never come to the attention of the police. In one study, for instance, dealing with cases of bodily injury, we found that only one out of nine cases was reported; however, these are most often misdemeanors or less serious crimes in which there is a high ratio of hidden crime. I think some sensational newspapers tended to give false impression, because they emphasized the serious crime, whereas I would say that the frequency of unreported serious crime is far lower than it is for misdemeanors. Therefore, fair and objective reporting by newspaper, radio and television is most important and it is an aim of the research unit in my country to cooperate and to improve relations with the media.

In addition, issuing clear, definitive reports and accurate press releases on the topic of our research findings, we hope to get more support from the public and from the decision makers within the parliament and the ministries. We think our work is extremely important, because the financial damages caused by crime are so high. Funds and resources expended in the field of crime fighting, especially in crime prevention, are a worthwhile investment on the part of society, and, if successful, will reflect in an improved economy.

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Analysis of Justice System Improvement Act

Section 2-Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, is amended in its entirety as follows.

The Declaration and Purpose Clause sets out justice system improvement as the overall purpose of the new title. The clause provides that the policy of Congress is (1) to provide financial and technical assistance with maximum certainty and minimum delay; (2) to support community anticrime efforts; (3) to encourage development of basic and applied research in the civil, criminal, and juvenile justice systems; and (4) encourage the collection and analysis of statistical information concerning crime and the operation of justice systems.

Part A — Law Enforcement Assistance

Administration

Section 101 — Section 101 of Part A retains within the Department of Justice, under the direct authority of the Attorney General, a Law Enforcement Assistance Administration. The office is under the direction of an Administrator who reports to the Director of the Office of Justice Assistance, Research and Statistics established in Part H.

Section 102 — Section 102 sets out the duties and functions of the Administrator.

Section 103 — Section 103 retains within the Law Enforcement Assistance Administration the Office of Community Anti-Crime Programs. This office is authorized to encourage community and citizen participation in crime prevention, to coordinate its activities with ACTION and other Federal programs designed to increase citizen participation, and to provide grants and technical assistance for such purposes.

Part B — National Institute of Justice

Sections 201 and 202 — These sections establish within the Department of Justice, under the direct authority of the Attorney General, a National Institute of Justice. The Institute is to be headed by a Director who will report to the Director of the Office of Justice Assistance, Research and Statistics.

Section 202(c) — Section 202(c) sets out the authority of the Institute. This authority includes: (1) making grants and entering into cooperative agreements and contracts to conduct research, demonstrations, or special projects; (2) conducting or authorizing multi-year and short term research in civil, criminal, and juvenile justice systems; (3) conducting evaluations; (4) providing research fellowships and internships; (5) serving as a national and international clearinghouse; (6) serving in a consulting capacity to Federal, State, and local justice systems.

Section 202(d) — Section 202(d) sets out the functions and authority of the Director of the Institute.

Section 203 — Section 203 provides that grants under Part B may be up to 100 per centum of the total cost of each project.

Section 204 — Section 204 establishes a 21-member national Institute of Justice Advisory Board consisting of researchers, criminal justice practitioners, State and local elected officials, and members of the general public. The Board develops research policy for the National Institute of Justice.

Part C — Bureau of Justice Statistics

Sections 301 and 302 — Sections 301 and 302 establish within the Department of Justice, under the direct authority of the Attorney General, a Bureau of Justice Statistics. The Bureau is to be headed by a Director who will report to the Director of the Office of Justice Assistance, Research and Statistics.

Section 302(c) — Section 302(c) sets out the authority of the Bureau. This authority includes (1) making grants and entering into cooperative agreements and contracts for the purpose of gathering justice statistics, (2) collecting and analyzing data concerning the criminal, juvenile, and civil justice systems at the Federal, State, and local levels; (3) publishing uniform national statistics; (4) establishing national standards; (5) providing financial and technical assistance to State and units of local governments relating to collection, analysis, or dissemination of justice statistics; (6) cooperating with national and international organizations in the development of uniform justice statistics.

Section 303 — Section 303 provides that grants under Part C may be up to 100 per centum of the total cost of each project.

Section 304 — Section 304 establishes a 21-member Bureau of Justice Statistics Advisory Board consisting of researchers, statisticians, criminal justice practitioners, State and local officials, and members of the general public. The Board recommends to the Director policies and

priorities for the Bureau.

Part D — Formula Grants

Section 401 — Section 401 sets out the purposes and funding authority of the formula grant program to be administered by the Law Enforcement Assistance Administration.

Section 402(a) — Section 402(a) authorizes the Administration to make financial assistance available under Part D to State and local units of government.

Section 402(b) — Section 402(b) requires that each State establish or designate a Criminal Justice Council to (1) analyze criminal justice problems and establish priorities; (2) prepare a comprehensive application for funding; (3) receive and approve applications from State agencies and eligible jurisdictions; (4) receive, coordinate, monitor, evaluate, and audit applications received from State agencies, courts, and units of local government; (5) provide technical assistance. The Council must be under the jurisdiction of the chief executive and must have specified membership representation, including representatives of units of local government. The subsection also sets out the process of incorporating an eligible jurisdiction's application into the comprehensive State application and a system for dispute resolution. The process provides cities of over 100,000 population and counties or regions over 250,000 population with authority to identify the programs and projects they will implement with funds received from the State. An eligible jurisdiction is authorized to submit a single application to be included in the comprehensive State application. The subsection sets out the criteria to be used by the Council in reviewing the application which must contain sufficient information upon which the State can make a determination that the criteria are met. A mechanism for binding arbitration is provided if there is disagreement between the Criminal Justice Council and the eligible jurisdiction regarding the application. Where applications received from State agencies and jurisdictions with populations less than 100,000 for cities and 250,000 for counties are denied by the Council, appeal of the Council's action will follow procedures to be established by the Council.

Section 402(c) — Section 402(c) requires that the chief executives of cities of over 100,000 population and counties or regions over 250,000 population create or designate an office to prepare and develop the jurisdiction's application. A local Criminal Justice Advisory Board is to be established to advise the Council, act on applications or amendments by the eligible jurisdiction and assure an adequate allocation of funds for court programs where appropriate. The Board must be broadly representative of the criminal and juvenile justice system, including citizens and community organizations.

Section 402(d) — Section 402(d) provides that the court of last resort of each State may establish or designate a Judicial Coordinating Committee to develop a three-year application reflecting the needs of the courts of the State.

Section 402(e) — Section 402(e) requires that the Council provide procedures to expedite actions taken on applications submitted by local governments and judicial coordinating committees. This subsection also requires open meetings by the council, local offices, and judicial coordinating council, and public access to records relating to this title.

Section 402(f) — Section 402(f) requires that all eligible jurisdictions assure the citizen and community participation in the application process.

Section 403 — Section 403 sets out the specific elements which must be included in an application submitted under Part D.

Section 404(a) — Section 404(a) describes how applications are to be reviewed by the Administration prior to approval.

Section 404(b) — Section 404(b) describes when the Administration must suspend funding for an approved application.

Section 404(c) — Section 404(c) limits the expenditure of funds for equipment or hardware and prohibits the expenditure of funds for general salary increases, construction, or programs found, after evaluation and notice and opportunity for public comment, to be ineffective and thus to be ineligible for funding with LEAA funds. Under the hardware and equipment limitation, a police department or a city could not substitute LEAA funds for the purchase of hardware or equipment which they have routinely paid for from other fund sources under the rubric that the hardware or equipment is being used for an improvement program.

Section 404(d) — Section 404(d) provides for allocation and distribution of formula funds to the States and local jurisdiction. Seventy percent of the funds appropriated for Parts D, E, and F programs will be used for formula distribution. The funds are first allocated among the States and then allocated within the State. In allocating funds among the States, each State will receive the greater of: (1) its population share; (2) a share not to exceed 110 percent of the population share determined on the basis of a formula that considers population, criminal justice expenditures, number of index crimes, and population weighted by the share of State personal income paid in State and local taxes; or (3) a "hold harmless" amount equal to the block awards to the State in FY 79. In allocating funds within the State, seventy percent of the funds are distributed according to the State and eligible local jurisdictions' respective share of total criminal justice expenditures from all sources, excluding duplicative expenditures. The remaining 30 percent is split among the State and local jurisdictions according to a formula which utilizes police, court, correctional, and total criminal justice expenditures.

Section 405(b) — Section 405(b) provides that the Council shall submit for State legislature review, upon request, the general goals, priorities, and policies developed by the Council.

Section 405(c) — Section 405(c) prohibits the award of funds allocated to eligible jurisdictions for anything but a program or project contained in an approved application.

Section 405(d) — Section 405(d) provides that where any funds allocated to an eligible jurisdiction are not required by an eligible jurisdiction, or where a jurisdiction is unable to qualify for the funds, the funds shall be available for reallocation by the Administration.

Section 405(e) — Section 405(e) provides that a State may award grants from the State allocation to private nonprofit organizations and that eligible units of local government may utilize the services of private nonprofit organizations.

Section 405(f) — Section 405(f) sets out a single formula allocation to Guam, Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands to be used for administrative and programmatic purposes.

Section 405(g) — Section 405(g) requires a State to submit a plan to receive formula grants under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, to be in accord with this title and Section 223 of that Act.

Section 405(h) — Section 405(h) provides that where regional planning units are used, that boundaries of existing general purpose regional planning be used to the maximum extent feasible.

Part E — National Priority Grants

Section 501 — Section 501 provides that the purpose of this part is to encourage State and local governments to carry out programs of proven effectiveness.

Section 502 — Section 502 provides that 20 percent of the total funds appropriated for Parts D, E, and F shall be used to make National Priority Grants.

Section 503 — Section 503 directs the Office of Justice Assistance, Research and Statistics to designate National Priority programs and projects and describes the procedures for making such designation, including consultation with the National Institute of Justice, Bureau of Justice Statistics, the Law Enforcement Assistance Administration, State and local governments, and other public and private groups. The Office of Justice Assistance, Research and Statistics must annually publish for public comment the proposed National Priority programs, consider the comments received, and establish priority programs and projects for each fiscal year beginning with FY 1981.

Section 504 — Section 504 sets out the required elements which must be contained in an application for funding under the part.

Section 505(a) — Section 505(a) describes the criteria to be used by the Administration to award National Priority Grants. These criteria require the Administrator to consider the amount of funds that are available to a jurisdiction from Part D and other sources.

Section 505(b) — Section 505(b) provides that the Administration will make a grant for up to 50 percent of the cost of the program, the remaining amount to be provided by the eligible jurisdiction. The remaining amount can be from any other source including Part D funds.

Section 505(c) — Section 505(c) provides that the Administration may use unobligated

fiscal year Part E funds to provide financial assistance above the 50 percent Federal cost established under subsection (b).

Section 505(d) — Section 505(d) provides that National Priority Grants will be awarded for up to a three-year period and may be extended for an additional two years if found effective in achieving stated goals.

Part F — Discretionary Grants

Section 601 — Section 601 sets out the purposes for providing financial assistance under this part.

Section 602 — Section 602 provides that 10 percent of the total funds appropriated for Parts D, E, and F each year are to be set aside to make grants under this part to States, units of local government, or private nonprofit organizations. Such grants to private nonprofit organizations must be for programs which would not otherwise be undertaken pursuant to this title.

Section 603(a) — Section 603(a) directs the Office of Justice Assistance, Research and Statistics to establish discretionary programs and projects.

Section 603(b) — Section 603(b) describes the procedures to be utilized in designating discretionary program priorities. These procedures include consultation and publication in the Federal Register.

Section 604 — Section 604 provides for minimal elements of an application.

Section 605 — Section 605 provides that the Administration consider whether certain elements of the criminal justice system have received a disproportionate allocation of financial aid under other parts of the Act and, if an inadequate share has been received, use the discretionary funds to correct the inequities. Funds under this part may be up to 100 percent of the cost of the program.

Section 606 — Section 606 limits funding to a three-year period except that a program or project may be extended for an additional two years if the evaluation shows that it has been effective in achieving goals and the grantee provides one half the total cost.

Part G — Training and Manpower Development

Section 701 — Section 701 sets out the purpose of this part to be the encouragement of training, manpower development, and new personnel practices.

Section 702 — Section 702 continues the authority provided under the prior section of 407 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Training to strengthen prosecutive capabilities against white collar crime as well as organized crime is now included.

Section 703 — Section 703 authorizes the LEAA to (1) assist in conducting training programs for State and local criminal justice personnel and programs related to recruitment, selection and career development, and (2) to plan, develop, demonstrate, and evaluate such programs.

Section 704 — Section 704 continues the authority under the prior section 404 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. This provision authorizes the FBI to conduct training programs at Quantico, Virginia.

Section 705 — Section 705 continues the authority under the prior section 406 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. This provision authorizes student grants and loans under the Law Enforcement Education Program (LEEP). The section also provides that the authority shall be transferred to the Secretary of the Department of Education, upon establishment of such Department.

Part H — Administrative Provisions

Section 801(a) — Section 801 (a) establishes within the Department of Justice an Office of Justice Assistance, Research and Statistics.

Section 801 (b) — Section 801(b) provides that the office will provide staff support, set broad policy, and coordinate the activities of the National Institute of Justice, the Bureau of Justice Statistics, and the Law Enforcement Assistance Administration.

Section 801(c) — Section 801(c) establishes a 21 member Justice Assistance Research and Statistics Advisory Board consisting of a broadly based group experienced in the civil, criminal, or juvenile justice systems, members of the academic and research community, officials of State and local government, community organizations, and the general public.

Section 802(a) — Section 802(a) provides rulemaking authority for the Office of Justice Assistance, Research and Statistics, the Law En-

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White House analysis of LEAA reorganization bill

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forcement Assistance Administration, the Bureau of Justice Statistics, and the National Institute of Justice.

Section 802(b) — Section 802(b) sets forth the elements to be considered by the Law Enforcement Assistance Administration in evaluating programs or projects conducted under Parts O, E, and F. This provision also requires applicants under Part D to submit an annual performance report which LEAA must evaluate.

Section 802(c) — Section 802(c) requires that all procedures used to implement this title minimize red tape, unnecessary delays, and needless duplication.

Sections 803, 804, and 805 — Sections 803, 804, and 805 continue the authority of the prior sections 509, 510, and 511 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, relating to hearings and appeals. The Bureau of Justice Statistics and the National Institute of Justice, as well as the Law Enforcement Assistance Administration, are now authorized to hold hearings as to their respective funding determinations.

Section 806 — Section 806 provides authority for the Office of Justice Assistance, Research and Statistics, the National Institute of Justice, the Bureau of Justice Statistics, and the Law Enforcement Assistance Administration to delegate functions to their respective employees.

Section 807 — Section 807 provides the Law Enforcement Assistance Administration, Bureau of Justice Statistics, National Institute of Justice, or Office of Justice Assistance, Research and Statistics the power to hold hearings, sign and issue subpoenas, administer oaths, examine witnesses and receive evidence any place in the United States.

Section 808 — Section 808 amends section 5314 of Title 5, United States Code, to provide for the schedule of compensation of the Director, Office of Justice Assistance, Research and Statistics at an executive level III position, and deletes the position of the Administrator, Law Enforcement Assistance Administration from the level III appointments.

Section 809 — Section 809 amends section 5315 of Title 5, United States Code, to provide for the schedule of compensation of the Administrator, Law Enforcement Assistance Administration, and the Directors of the National Institute of Justice, and the Bureau of Justice Statistics at executive level IV positions. This section also deletes the positions of the former Deputy Administrators of LEAA from the executive schedule.

Section 810 — Section 810 authorizes the Office of Justice Assistance, Research and Statistics, Law Enforcement Assistance Administration, National Institute of Justice, and Bureau of Justice Statistics, subject to the civil service and classification laws, to select, appoint, employ and fix compensation of officers, employees and hearing examiners or administrative law judges. This section also provides authority to request the use of administrative law judges pursuant to section 3344 of Title 5, United States Code.

Section 811 — Section 811 authorizes the Office of Justice Assistance, Research and Statistics, Law Enforcement Assistance Administration, National Institute of Justice, and Bureau of Justice Statistics on a reimbursable basis, to use the available services, equipment, personnel, and facilities of Federal, State and local agencies, as appropriate.

Section 812 — Section 812 provides for consultation with other Federal departments and State and local officials in carrying out the provisions of the title.

Section 813 — Section 813 provides authority to reimburse heads of other Federal departments for the performance of any functions under this title. The action also authorizes the use of grants, contracts, or cooperative agreements in accordance with standards established by 41 United States Code, section 501.

Section 814 — Section 814 authorizes procurement of the services of experts and consultants in accordance with Title 5, United States Code, section 3109, authorizes the appointment of advisory committee members, and makes provision for compensation and travel allowances.

Section 815(a) — Section 815(a) continues the provision of prior section 518(a) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, prohibiting Federal control over any law enforcement agency of any State or political subdivision of the State.

Section 815(b) — Section 815(b) continues the provision which has been in the LEAA Act

since 1968 of prior section 518(b). This provision prohibits requiring an applicant or grantee under the title to adopt a percentage, ratio, quota system, or other program to achieve racial balance in any criminal justice agency but does not prevent the government from requiring grantees to adopt affirmative action programs.

Section 815(c) — Section 815(c) continues the provision of the prior section 518(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, prohibiting discrimination on the ground of race, color, religion, national origin or sex in the programs funded under title. This subsection also places the civil rights enforcement authority in the Office of Criminal Justice Assistance, Research and Statistics.

Section 816 — Section 816 requires a report to the President and Committees of the Judiciary of the Senate and House of Representatives and sets out the data to be included in the report.

Section 817 — Section 817 continues in effect the provisions of the prior recordkeeping provisions of section 521 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, except that it places the audit authority in the Office of Justice Assistance, Research and Statistics.

Section 818 — Section 818 continues in effect the provisions of the prior section 522 of the Omnibus Crime Control and Safe Streets Act, as amended, regarding section 204(a) of the Demonstration Cities and Metropolitan Development Act of 1966.

Section 819(a) — Section 819(a) continues in effect the provisions of the prior section 524(a) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, as it concerns confidentiality of research and statistical information funded under this title. The provision has been broadened to include immunity from legal process of all such information whether in written form or not, and to provide that such information cannot be used in legislative proceedings as well as judicial or administrative proceedings.

Section 819(b) and (c) — Section 819(b) and (c) continue in effect the provisions of prior section 524(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, concerning security and privacy of criminal history information and sanctions for violations.

Section 820 — Section 820 authorizes the Office of Justice Assistance, Research and Statistics, National Institute of Justice, Bureau of Justice Statistics, and the Law Enforcement Assistance Administration to accept volunteer services. The section also provides that for the purposes of Chapter 81, of Title 5, with respect to job incurred disability, and Title 28, of the United States Code, with respect to tort claims, such individuals will be considered Federal employees.

Section 821 — Section 821 authorizes the Office of Justice Assistance, Research and Statistics to select, employ and fix compensation of employees, including attorneys, as are necessary to perform its functions.

Section 822(a) — Section 822(a) continues in effect the provisions of the prior section 527 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, concerning the administering of juvenile delinquency programs. All juvenile delinquency programs administered by LEAA must be administered by or subject to the policy direction of the Office of Juvenile Justice and Delinquency Prevention.

Section 822(b) — Section 822(b) directs the Directors of the National Institute of Justice and Bureau of Justice Statistics to work closely with the Administrator of the Office of Juvenile Justice and Delinquency Prevention in developing and implementing juvenile justice programs.

Section 823 — Section 823 prohibits use of funds for land acquisition.

Section 824 — Section 824 continues the prior provisions of section 508 which prohibits the use of CIA services, facilities, or personnel.

Section 825 — Section 825 authorizes waiver of State liability where State does not have an adequate forum to enforce grant conditions in grants to an Indian Tribe.

Part I — Definitions

Section 901(a) — Section 901(a) defines, as used in this title, the following terms: "Criminal justice," "State," "Unit of local government," "Construction," "Combination," "Public agency," "Correctional institution or facility," "Comprehensive," "Criminal history information," "Evaluation," "Neighborhood or community-based organization," "Chief executive," "Municipality," "Population," "Attorney General," "Court of last resort," "Institution of higher education."

Section 901(b) — Section 901(b) provides that the definitions be based on the most recent data compiled by the U.S. Department of Census and the latest available reports of the Office of Management and Budget.

Section 901(c) — Section 901(c) provides that one or more public agencies may be designated by the chief executive to undertake a program or project.

Part J — Funding

Section 1001 — Section 1001 authorizes \$50,000,000 to be appropriated for each fiscal year from fiscal year ending Sept. 30, 1980, through fiscal year ending Sept. 30, 1983, for the functions of the Bureau of Justice Statistics and National Institute of Justice. Also authorized to be appropriated is \$750,000,000 for each fiscal year from fiscal year ending September 30, 1980 through September 30, 1983, for the purposes of Parts O, E, F, G, H, J, and L, and remaining functions of the Law Enforcement Assistance Administration and the Office of Justice Assistance, Research and Statistics.

Section 1002 — Section 1002 provides that at least 19.15 percent of the total appropriations under this title be maintained for juvenile delinquency programs.

Section 1003 — Section 1003 provides administrative funds to each State to establish a Criminal Justice Council and local criminal justice offices. An additional amount is made available for the Judicial Coordinating Committee activities. The State receives \$300,000 plus an amount to 7-1/2 percent of its total Part O allocation. From this amount, each eligible local jurisdiction must be allocated at least an amount equal to 7-1/2 percent of its individual Part O allocation. The State receives \$200,000 match free while each eligible local jurisdiction receives \$25,000 match free. The remaining funds are 50-50 match. Any funds not used for administrative purposes may be used for action programs.

Section 1004 — Section 1004 authorizes funds to be appropriated for the Office of Community Anti-Crime Programs.

Part K — Criminal Penalties

Sections 1101, 1102, and 1103 — Sections 1101, 1102, and 1103 continue in effect the

prior sections 651, 652, and 653 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, relating to criminal penalties. Penalties for misuse of funds received from the National Institute of Justice, Bureau of Justice Statistics, and Office of Justice Assistance, Research and Statistics have been added to these sections.

Part L — Public Safety Officers' Oath Benefits

Sections 1201, 1202, 1203, and 1204 — Sections 1201, 1202, 1203, and 1204 continue in effect without change the provisions of prior sections 701, 702, 703, and 704 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, as they pertain to the Public Safety Officers' Oath Benefits.

Part M — Transition-Effective Date Repealer

Section 1301(a) — Section 1301(a) continues in effect all orders, determinations, rules, regulations, and instructions of the Law Enforcement Assistance Administration and the National Institute of Corrections until modified, terminated or superseded.

Section 1301(b) and (c) — Section 1301(b) and (c) provide for continuance of research and development programs in effect prior to the date of enactment of this Act and authorizes the Director of the National Institute of Justice to award new grants, enter into contracts or cooperative agreement with previously appropriated unused or reversionary funds.

Section 1301(d) — Section 1301(d) provides the Director of the Bureau of Justice Statistics with the same type of authority given the Director of the National Institute of Justice under section 1301(b) and (c).

Section 1301(e) — Section 1301(e) authorizes the Administrator of the Law Enforcement Assistance Administration to award new grants, enter into new contracts or cooperative agreements, and approve comprehensive plans for the fiscal year beginning October 1, 1979, and otherwise obligate previously appropriated unused or reversionary funds.

Section 1301(f) — Section 1301(f) provides that the provisions of this statute shall not affect any suit, action, or other proceeding brought against government before its effective date.

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Whether you're selling ammo or autos, bulletproof vets or brass buttons, then advertising in the Law Enforcement News special IACP conference edition may be one of the best investments that you'll ever make.

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Supreme Court Briefs: summaries of recent CJ-related actions

Continued from Page 5

Greystone" area or to interview the inmates.

In a District Court hearing the Sheriff asserted "that unregulated access by the media would infringe inmate privacy, tend to create 'jail celebrities,' who in turn tend to generate internal problems and undermine jail security." The media argued that the monthly tours at Santa Rita did not provide adequate access to the facility, in that "the prohibition of photography and tape recordings, the exclusion of por-

tions of the jail from the tours, and the practice of keeping inmates generally removed from view substantially reduced the usefulness of the tours to the media."

The District Court upheld the media's right of access, as did the Court of Appeals, which noted that "the public and the media had a First and Fourteenth Amendment right of access to prisons and jails."

Reversing the two lower court decisions, the Supreme Court clearly reflected the Chief Justice's well-known displeasure with the media, especially commercial

television, in its decree: "The media are not a substitute for or an adjunct of government, and like the courts, they are 'ill-equipped' to deal with problems of prison administration. We must not confuse the role of the media with that of government; each has special, crucial functions each complementing — and sometimes conflicting with — the other."

Rejecting entirely the media's arguments in the case, the Court reasoned that "the media's role of providing information affords no basis for reading into the Constitution a right of the public or the media to enter these institutions, with camera equipment, and take moving and still pictures of inmates for broadcast purposes." The devastating final blow came when the Chief Justice concluded that the Supreme Court "has never intimated a First Amendment guarantee of a right of access to all sources of information within government control."

Justice Stewart, in a concurring opinion which provided the swing vote, stated that his only reason for siding with Chief Justice Burger's opinion was the belief that the injunction against Sheriff Houchins was unwarranted. The opinion, which read like a dissent, concluded: "In short, terms of access that are reasonably imposed on individual members of the public may, if they impeded effective reporting without sufficient justification, be un-

reasonable as applied to journalists who are there to convey to the general public what the visitors see."

The dissent, written by Justice Stevens, joined by Justices Brennan and Powell, was a lengthy discourse on the fundamental philosophy underlying the First Amendment's place in a democratic society. The trio concluded that "it is not sufficient, therefore, that the channels of communication be free of governmental restraints. Without some protection for the acquisition of information about the operation of public institutions such as prisons by the public at large, the process of self-governance contemplated by the Framers would be stripped of its substance."

The decision has little precedential value since the vote was so close. Additionally, Justice Marshall and Blackmun took no part in the consideration of the decision and as a result their opinions on the issue have not been heard. (Houchins v. KQED, Inc. No. 76-1310, announced June 26, 1978)

NY prosecutor outlines uses of video in pretrial work

Continued from Page 3

sulted in "significant savings of time and effort," Johnson recited a long list of benefits that the project has produced: "Defendants tempted to recant inculpatory statements are persuaded not to do so by reviewing of tapes, admissibility hearings are simplified, defense attorneys do not have to guess at the strength of the prosecutor's case, the defendant's demeanor, physical condition and emotional reactions are available to reviewing psychiatrists, police officers and juries."

Although the recording of a defendant's statement is the main purpose of the Bronx project, the assistant district attorney noted that the video technique has other cost- and time-saving applications. She noted that the video crews have taped the testimony of witnesses, have made recordings of the execution of search warrants, and have taped crime scenes.

The demonstration before the district attorneys' group was not the first nationwide exposure that the Bronx project has received. Last August, the program was featured in a TV Guide article that concerned the growing use of television in judicial proceedings.

New group formed to aid in combatting thefts of artwork

A private organization devoted to the collection and dissemination of information about missing works of art was established in New York City recently in an attempt to aid in the recovery of lost or stolen paintings, drawings, sculpture, prints, ethnological art, antiques, tapestries, antiquities, coins, rare books and manuscripts.

The heart of the new service will be a quarterly publication, entitled *The International Guide to Missing Treasures*, which will provide subscribers with identifying information, photographs and reward details on missing works.

Noting that the fourth quarter edition of the guide will be cumulative for each year, the editors of the publication said that the guide will not list the sources of loss unless permission is granted in an effort to protect the subscriber's privacy and to insure anonymity.

Loss reports to the service will be accepted on a 24-hour basis, and the organization will provide assistance to users who wish to contact the proper law enforcement authorities regarding specific problems.

For additional information, contact: *The International Guide to Missing Treasures*, 219 East 69th Street, New York, NY 10021. Telephone: (212) 753-2408.

Even at that early date in the project's evolution, Merola was enthusiastic about the videotape concept. "I see TV as a recorder of facts, of the truth," he said. "We've had cases here in court where the defense lawyers argued about the scene of the crime. What the position of the body was, where the bullets were, where the blood was coming from. What was the lighting like? So I send out my TV technician to film it, and we'll play it for the jury. What do they get? A picture worth 1,000 words — only in the courts it's usually 10,000 words — and \$10,000 instead of \$1,000."

Continued from Page 3
more likely and longer prison sentence," the researchers stated. "Drug traffickers as a group were not likely to see the new law as a serious threat."

Apparently, the drafters of New York's drug law were aware from the outset that the statute might overload the judicial system, and, according to the report, they added 49 judges to state benches along with additional prosecutors, defense counsel and support staff. The action cost the state \$76 million between September 1973 and mid-1976, however the study estimated that only \$32 million of the funds were actually used to enforce and implement the 1973 drug law. The remainder went to adjudicate other types of felony cases in the state.

In spite of the addition to new courts in the state, the report noted that "fewer drug law cases were disposed of between 1974 and June 1976 than during a similar period of time under the old drug law."

One reason cited for the decline in dispositions was a section of the law which banned plea bargaining in serious drug felony cases. Since the defendants in such instances were forbidden to plead guilty to a lower charge, the study noted that they "had a major incentive to demand a trial rather than simply to plead guilty," and the trial workload increased as a result.

Meanwhile, in New York City, which experienced the brunt of the drug problem and where 31 of the new courts were located, it was found that the new judges failed to match the productivity rate of their colleagues in existing trial courts.

Between 1974 and 1976, the average case the new courts required 21 court appearances for cases disposed of in other courts," the report said. "If the new courts had matched the productivity of the established courts, there would have been no more than a small growth in the drug felony backlog."

Courts outside of New York City were

NY's tough drug law flunks bar evaluation

able to maintain their normal felony disposition rate, according to the researchers, but the overall effect of the new drug law remained slight. "Prison and jail sentences in drug cases went up dramatically in several counties," the study noted, "yet in none of them was there evidence of a sustained drop in the extent of drug use."

The researchers suggested three strategies that could have been employed to improve implementation of New York's drug law. They included restricting the new courts to drug cases in order to improve their productivity and efficiency, altering the penalties to reduce the demand for trials and the resulting drain on judicial resources, and easing the law's plea bargaining restrictions.

In 1976, the New York State Legislature passed an amendment to the 1973 law which changed the plea bargaining restrictions to allow persons charged with class A-A-III narcotics felonies to plead guilty to a lesser charge. The report applauded the move, noting that the change "may enhance the deterrent power of the law by causing penalties to follow swiftly upon indictment and conviction for low-level drug defendants." The researchers added that

such a "speed-up in processing" might free court resources for cases involving more serious drug offenses.

The 1976 amendment might allow police in New York City to change their enforcement policy regarding street level arrests, because such offenders would be permitted to plea bargain, and thus would not add to court congestion. The study noted that "police can bring regular and reasonable pressure on notorious market areas and confront small dealers and purchasers with a heightened risk at the 'front end' of the criminal justice process."

In spite of the potential for improvement created by the change in the law, the report indicated that the drug problem could not be legislated out of existence. "Whatever hope there is that statutes like the 1973 revision can deter antisocial behavior must rest upon swift and sure enforcement and a dramatic increase in the odds that violators will in fact be punished," the researchers said. "Until New York's criminal justice process is reformed so that it can do its work with reasonable speed and reasonable certainty, the Legislature does not in reality have serious policy options to choose from."

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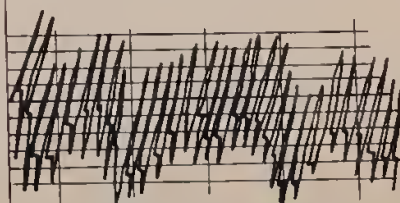
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CRIMINAL JUSTICE LIBRARY

Reviews of additions to the literature of criminal justice

Discipline and Punish: The Birth of the Prison. By Michael Foucault. Pantheon, New York. \$10.95.

Michael Foucault is an innovative, albeit controversial author. His *Madness and Civilization* is accepted as the definitive study of mental illness — a penetrating historical examination of the cultural perspectives of madness.

Discipline and Punish offers a similar look at the concept of the prison, including its origin and purpose and the reason for its longevity given its poor record of rehabilitation.

Foucault correctly notes that the prison grew out of the rehabilitative ethic and the concept of individualized treatment. However, it is too simplistic for him to say that the prison in capitalist society performs the function of turning criminals into cases, thus separating them from the body of the working class, and by so doing, reducing proletarian solidarity and effective protest.

Foucault's argument is not persuasive and betrays his socialist leanings. Early in its history, it was recognized that the prison did not reduce crime or rehabilitate criminals. And while it might be argued that all criminal laws reflect the political and philosophical values in society, it does not follow that punishment and prisons are simply the means employed by the upper classes to reduce the political power of the lower. Socialist writers generally are effective in pointing out social ills, but are unrealistic in analyzing causes and proscribing cures.

Despite some disagreements with approach, Foucault's work is a useful study of the transition of punishment from bru-

tal medieval tortures to today's sterile system of individualized treatment of the criminal. In a time when the field of corrections is under both public and professional scrutiny, this is a book whose conclusions must be reckoned with.

—Daniel P. King

Dynamics of Police Administration: Cases and Problems. By John O. Truitt. Anderson Publishing Company, Cincinnati, Ohio. 1978. 104 pages.

This "fieldbook" is designed to provide students and instructors with a format for applying theories and principles learned in the classroom to actual situations.

The body of the book is divided into five chapters: Development and Planning; Organization and Organizational Structure; Personnel Administration; Scheduling, Zoning, Distribution and Selective Enforcement; and Administration Problem-Solving. Each chapter contains between three and six cases for the student to solve. The cases include information about actual police departments (whose names have been fictionalized), placing the student in the position of a police decision maker and presenting him with a problem to be solved. In no case is there the assumption that there is a single "correct" answer; instead the student is encouraged to explore a number of options before he chooses one. He is then asked to present an organized rationale for choosing one solution rather than another. There is a twofold to this approach, for not only does it give both student and instructor the opportunity to appraise the student's ability to handle the problem, but the process of attempting to deal with the problem also becomes a learning experience itself. For both of these reasons, this volume is an extremely valuable component of any course in police administration.

One of the advantages of the "cases and problems" approach used here is its flexibility. The cases may be used as homework assignments or as the basis for class discussion. The chapters are self-contained and do not have to be used in the order presented. And the author has provided a reference key, correlating the case studies with chapters in leading police administration textbooks.

—Dorothy Bracey

Juvenile Delinquency: Concepts and Control, 2nd Edition. By Robert C. and John M. Trojanowicz. Prentice-Hall, Inc. Englewood Cliffs, New Jersey. 1978. 462 pp.

The stated purpose of this second edition of *Juvenile Delinquency: Concepts and Control* is to expose the reader to the thinking of the experts in the field of juvenile delinquency to the processes involved in the causation of this phenomenon, and to numerous examples of the most successful and effective programs, procedures and techniques used to facilitate the transition from complex theoretical principles to practical applications for handling juveniles.

The book consists of thirteen chapters which discuss social deviance, theories of delinquency causation, the family and juvenile delinquency, the adolescent, female

delinquency, the juvenile justice system, child abuse and neglect, delinquency prevention programs, methods of treatment, the need for research, community-based treatment programs, delinquency prevention through citizen involvement and a look at the future.

An in-depth bibliography consisting of 174 books published between 1965 and 1975 — with overviews of the works cited and Library of Congress call numbers — is presented at the end of the book to pro-

vide easy reference. Although not provided with the purchase of the book, an instructor's manual has been developed and is available from the publisher.

The author writes in a clear and distinct manner, and his work is well organized and easily comprehensible. A number of opinions are expressed, reflecting a variety of schools of thought. The book is a solid introductory text or reference source for persons interested in juvenile delinquency.

—Stephen L. Dandilli

The Signs of Crime

A Field Manual for Police

By David Powis

with a Foreword by
Sir Robert Mark

Retired Commissioner, Scotland Yard
and

with a Preface by
P. J. Stead

John Jay College of Criminal Justice

DAVID POWIS
The Signs of Crime
A Field Manual for Police



If they want to draw their pensions, uniformed policemen, members of the traffic patrol and any other members of the police might take a good look at this book, a field manual for young constables, handing down to them the thousand and one ways of spotting criminals, compiled during the 31 year's service of David Powis.

Alec Hartley
Manchester Guardian

The Signs of Crime is aimed at the beat officer, the supervising sergeant and inspector, the men and women at the sharp end of the service. Mr. Powis is suggesting how a police officer can interpret what he sees with his own eyes. Throughout the book he says: *Watch for*, and gives tip after tip on the working methods of criminals petty and major, the characteristic giveaways that distinguish the honest citizen from the crook. In one short, crisp chapter after another, the author gives object lessons on . . . offenses which a reasonably alert urban officer is certain to encounter, from car thefts, shoplifting, prostitution and pimping; the three-card trick; to child abuse and baby battering.

Police

It might be going too far to say that it will supersede that vast book, *Criminal Investigation* by Hans Gross. . . but for me this book contains at least one new fact, or one new stimulus to thought, on every page, and there are 233 big pages. It's about every conceivable aspect of crime prevention and detection, and more than any book I've ever seen it shows those two functions as being the province of the uniformed man. . . I'd like to see it in the hands of everyone in the country.

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Police Review

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Articles sought on public data-based CJ research studies

An interdisciplinary journal that focuses on the use of existing public data for scholarly study is soliciting articles on criminal justice research and methodology which are based on publicly available statistics and surveys.

The bimonthly publication, *The Review of Public Data Use*, is specifically interested in articles describing practical applications of public data in state and local governments, advancements in computer software for accessing statistical data files, legislative and administrative actions affecting public access, and developments in foreign data use. Papers that are accepted will be published in a late 1978 issue of the journal, according to the editors.

Criminal justice researchers who are interested in submitting articles should send three typewritten, double-spaced copies of their manuscript and include a biography, a 100-word abstract, and references, tables and charts on separate pages. Copies of each article will be given to two knowledgeable referees for review.

To contribute, contact: Ms. Syl Morrison, Managing Editor, *Review of Public Data Use*, DUALabs, 1601 N. Kent Street, Arlington, VA 22209.

Current job openings in the criminal justice system

Fingerprint Examiner. The South Dakota Division of Criminal Investigation will have an opening for a fingerprint examiner to work with the crime laboratory staff after August 1, 1978.

The post involves examination of evidence for latent fingerprints by various methods. Comparison of latent prints for identification and presentation in court, and preparation of photographs and charts are necessary for this purpose. Successful applicant will participate in major crime scenes to provide field assistance in recognition and preservation of physical evidence. Candidate will also classify fingerprints and must have complete knowledge of filing systems to supervise technicians in the Identification Section of the Division. Requirements include graduation from an accredited college or university with a degree in criminalistics or appropriate field; or several years experience working with fingerprints and related matters. Other qualifications include a working knowledge of crime laboratory techniques and procedures involved in fingerprint examination and classification; some knowledge of criminal law, court proceedings, rules of evidence and general field of criminalistics, and skill in the use of laboratory equipment and materials. Applicants must be able to appear in court and provide expert testimony in matters of latent print examination.

Salary will range from \$11,500, depending upon education and experience. Applications will be considered until September 1, 1978.

Send resume to: Dr. Ilya Zeldes, Supervisor, Crime Laboratory, Division of Criminal Investigation, Box 1237, Pierre, SD 57501.

Criminalist. The South Dakota Division of Criminal Investigation has an opening for a criminalist for employment in a small laboratory.

Duties will include analysis of physical, chemical and biological specimens submitted as evidence in criminal content of controlled substances; analysis of evidence to determine the presence of body fluids and toxic substances, blood type, blood-alcohol content, and comparative identity of specimens; testimony in court as an expert witness on results of analyses; maintenance of laboratory supplies and equipment in good condition, and preparation of detailed reports to document results and accuracy of analyses.

Successful candidates should be graduates from an accredited college or university with a degree in criminalistics, chemistry, pharmacy, biology or a related laboratory science. Some professional laboratory experience is preferred.

Among the skills required for the position are: knowledge of laboratory techniques and procedures involved in the analysis and identification of criminal evidence; some knowledge of criminal law, court proceedings, rules of evidence, and general field of criminalistics. Skill in the use of laboratory equipment and materials is also required.

Salary is negotiable in the \$12,000 to \$15,000 range, depending on education and experience. Application will be considered until September 1, 1978.

Send resume to: Dr. Ilya Zeldes, Supervisor, Crime Laboratory, Division of Criminal Investigation, Box 1237, Pierre, SD 57501.

Assistant Professor of Criminal Justice. Grambling State University in Louisiana has a position opening beginning with the Fall 1978 Semester.

Applicants must possess a masters degree in criminal justice with some teaching and/or professional experience. Preference will also be given to candidates with a Ph.D. or ABD, experience or academic background in corrections. Salary will be between \$13,000 and \$15,000 for nine months.

Send resume to: P. Ray Kedia, Director, Criminal Justice Program, Grambling State University, Grambling, LA 71525.

Associate Director. The National Crime Prevention Institute, at the University of Louisville is accepting applications for this position, starting September 1, 1978.

Applicants will be responsible to the Director for the preparation, presentation, support, and evaluation of an annual program of approximately 26 courses of crime prevention-related instruction conducted primarily for members of public police agencies.

A masters degree in police or business administration or industrial security is required, along with three years

of demonstrated administrative and managerial experience in a public law enforcement agency and five years of demonstrated career advancement in such an agency. Preference will be given to candidates with experience in the administration and management of training and crime prevention activities and who can demonstrate instructional ability.

Salary will range from \$16,760 to \$20,100 depending upon qualifications. Deadline for all submissions is September 1, 1978.

Send comprehensive resume and three references to Assistant Dean Richard R. Stevens, School of Police Administration, University of Louisville, Louisville, KY 40208.

Regional Criminal Justice Planner. A strong, active, seven-municipality regional criminal justice planning program seeks a qualified male or female to manage regional RAFS, MO, other grant programs, local technical assistance to police departments, youth bureaus and other crime prevention organizations under LEAA-funded regional planning program. A master's degree in law enforcement, public administration, or similar fields, is required plus two years experience in criminal justice planning; equivalents considered. Candidates must be able to work well with law enforcement officials and personnel. Salary \$14,000-\$16,000 depending on qualifications and experience. Send application and resume before August 11, 1978 to Milo D. Wilcox Jr., Director, Central Connecticut Regional Planning Agency, 12 Landry Street, Bristol, CT 06010. An Equal Opportunity-Affirmative Action Employer.

Faculty Position. The School of Justice at The American University presently anticipates faculty vacancies at the rank of instructor or assistant professor for the 1979-80 academic year. Recruitment is now under way with academic rank.

An earned doctorate or ABD with dissertation near completion is required. Qualified individuals may include women and minorities in an justice specialty. Salary is based upon academic qualifications.

Send vita to Richard Myron, The School of Justice, The American University, Washington DC 20016. The deadline for applications is December 1, 1978.

Police Officer. The High Point, North Carolina Police Department is currently accepting applications for the positions of Police Officer I, Police Officer II and Master Police Officer.

Salary will range from \$9,348 to \$15,792. Minority applicants are encouraged.

Interested persons should contact High Point Police Department, Administration Bureau Commander, 211 South Hamilton St., High Point, NC 27260.

Campus Police Officers. The Virginia Commonwealth University Police Department is seeking applicants for the position of Campus Police Officer.

Responsibilities of this position include serving and

protecting a campus clientele in an urban setting.

Applicants must be high school graduates and must have two years of experience in dealing with the public or two years of college. Candidate must pass background investigations, and good physical condition will be necessary. Present salary is \$10,032, plus excellent fringe benefits.

For applications and or further information, contact: J.P. Morgan, Assistant Professor and Director of Public Safety, Virginia Commonwealth University, 918 West Franklin Street, Richmond, VA 23284. An Affirmative Action/Equal Opportunity Employer.

Research Positions. The Police Executive Research Forum in Washington, DC has two job openings for a large-scale police research project. Both positions will begin on October 1, 1978.

The first post, Interview Supervisor, requires an extensive knowledge of interview techniques, as well as experience in developing interview questionnaires, and in selecting, training and supervising interviewers. The successful candidate should have at least five years of experience as an interviewer, with at least two of those years in a supervisory role.

This is a 15-month appointment, based in Washington. The salary range is up to \$20,000, based on qualifications.

The second job is a two-year position for a Research Project Director. An individual with a Ph.D. in a related field is preferred, but a person with a master's degree and significant research management experience will be considered.

The skills for this position include: extensive experience with survey research methodology; experience with telephone and field interviewing techniques; substantial research management experience, preferably with staff direction responsibility; familiarity with a wide range of analytical techniques; some familiarity with the environment of police agencies, and particularly with police agency data, and writing skills.

Project duration will be 21-months, and project staff will be located in Washington and four other cities. Salary will be up to \$26,000, based on qualifications.

Interested persons should contact: Mr. Michael T. Farmer, Police Executive Research Forum, 1909 K St., N.W., Suite 420, Washington, DC 20006.

If your department, agency or educational institution has any job openings in the criminal justice field, we will announce them free of charge in this column. This offer applies to administrative and teaching openings, civil service testing date periods for law enforcement personnel, and notices for Federal agents. The position announcements should include a description of the job, the needed qualifications, and filing deadline. Write: Jobs, Law Enforcement News, 444 W. 56th St., NY, NY 10019.

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August 20-24, 1978. 108th Congress of Correction. Sponsored by the American Correctional Association. To be held in Portland, Oregon. For more details, contact: American Correctional Association, 4321 Hartwick Road, Suite L208, College Park, MD 20740.

August 21-23, 1978. Child Abuse and Neglect Seminar. Presented by the Police Juvenile Specialist Project, University of Missouri-Columbia. To be held at the Rodeway Inn, St. Louis. For further information, contact: Richard D. Ruddle, Police Juvenile Services, 307 Watson Place, Columbia, MO 65211.

August 23-25, 1978. Basic Counseling Skills Course. To be held at the Civil Defense Training Academy, Topsfield, Massachusetts. Presented by the Massachusetts Criminal Justice Training Council. For more details, contact: Massachusetts Criminal Justice Training Council, 1 Ashburton Place, Boston MA 02108.

August 27-September 1, 1978. Anti-Terrorism Seminar. To be held at the Homer Garrison Jr. Memorial Law Enforcement Academy by the Texas Department of Public Safety. For further information, contact: Texas Department of Public Safety, 5805 North Lamar, P.O. Box 4087, Austin, TX 78773. Telephone: (512) 422-0331 ext. 492.

August 28-30, 1978. Planning a Productivity System Program. Presented by the Theorem Institute. For more details, contact: Michael E. O'Neil, President, Theorem Institute, 1737 North First St., Suite 590, San Jose, CA 95112. Telephone: (408) 294-1427 in state, or (800) 538-6896 outside of California.

August 28-31, 1978. The Police Role in Child Abuse and Neglect. Presented by the International Association of Chiefs of Police. For more details, contact: IACP, 11 Firstfield Road, Gaithersburg, MD 20760. Telephone: (301) 948-0922 ext. 208.

August 28-September 1, 1978. Course: Motorcycle Operation and Enforcement. Presented by the Massachusetts Criminal Justice Training Council. To be held at Hansen Air Field, Bedford, Massachusetts. For further information, consult. August 23-25.

August 30-September 1, 1978. Sixteenth Annual Seminar on Cause and Origin of Fires and Explosions. Sponsored by The National Association of Fire Investigators. To be held at the Howard Johnson's Lakeshore Hotel, Chicago. For registration and more details contact: John Kennedy, Director, Fire Seminar, 53 W. Jackson Blvd., Rm. 325, Chicago, IL 60604.

September 3-24, 1978. Seventh Annual Foreign Study Tour to the Mediterranean. Presented by the Criminal Justice Department of California State. Cost: \$1,875 including airfare. For further information, write or call: Prof. Edgar A. Smith, California State University, Los Angeles, CA 90032. Telephone (800) 252-0235 in state, (800) 421-0553 in other states.

September 4-9, 1978. Eighth International Congress on Criminology. To be held in Lisbon, Portugal. Fees: \$US80 for participants, \$US50 for accompanying persons, and \$US20 for students. For more information and registration, write or call: Banco Totta & Acoves, Lisbon; Aect., 7.954.876/001; 8th International Congress on Criminology. Or, Mr. Caeiro; Organiza-

tion Committee of the 8th International Congress on Criminology, Ministry of Justice; Lisbon, Portugal.

September 4-15, 1978. Two-week Law Enforcement Training Schools. To be held in New Orleans, by the National Training Institute. For further information, contact: National Training Institute, United States Department of Justice, Drug Enforcement Administration, Washington DC 20537.

September 10-16, 1978. One-week Training Seminar on Terrorism/Civil Disorders. Presented by the New Jersey State Police in conjunction with LEAA. For further information, contact either DSGA De Mauro or Det. R. Stengel, Project Coordinators, New Jersey State Police Training Center, Sea Girt, NJ 08750, Telephone: (201) 449-5200.

September 10-22, 1978. Crime Prevention Training Course. Presented by the California Crime Prevention Institute. To be held at the Kellogg West Center of Continuing Education, California State Polytechnic University, Poma, California. Tuition: \$256.14. For further information contact: Loss Prevention Inc. P.O. Box 613, Sonoma, CA 95476. Telephone: (707) 938-5656.

September 11-14, 1978. Police Leadership Effectiveness. To be held in San Diego by the Police Executive Program. For additional information, contact: G. Patrick Gallagher, Director, Police Executive Program; Suite 400, 1909 K Street, N.W., Washington, DC 20006.

September 11-15, 1978. Homicide Investigation Course. Conducted by the Florida Institute for Law Enforcement. For more details, contact: Florida Institute for Law Enforcement, St. Petersburg Junior College, 6605 5th Ave., North P.O. Box 13489, St. Petersburg, FL 33723.

September 11-22, 1978. Two-week Law Enforcement Training Schools. To be held in Albany, New York by the National Training Institute. For more details, see: September 4-15.

September 12-14, 1978. Course: Crime and Law Enforcement in Parks and Recreational Areas. Presented by the Center for Criminal Justice of Case Western Reserve University. Fee: \$100. For more details, contact: Center for Criminal Justice, Case Western Reserve Law School, Cleveland, OH 44106.

September 14-21, 1978. Management and Administrative Issues in Community-Based Correctional Programs. Conducted by the National Training Institute. To be held in Dallas. For additional information and application material, contact: National Training Institute, P.O. Box 18258, Seattle, WA 98118. Telephone: (206) 722-2439.

September 17-23, 1978. Training Course: White-Collar Crime Enforcement Strategies and Techniques. To be held at

the Batelle Law and Justice Study Center in Seattle. Conducted by the National Center on White Collar Crime. No cost for registration, tuition, or materials. For more details contact: Batelle Human Affairs Research Centers, 400 N.E. 41st Street, P.O. Box 5395, Seattle, WA 98105. Telephone: (206) 525-3130.

September 18-22, 1978. Workshop on Management and Operation of Narcotic Units. To be held in Atlanta. Presented by the International Association of Chiefs of Police. For more details consult August 28-31.

September 18-22, 1978. Kodak Law Enforcement Photography Workshop. Conducted by the Eastman Kodak Company. To be held in Rochester, New York. For more information, contact: Law Enforcement and Security Markets, Eastman Kodak Company, Dept. 0617-A, 343 State Street, Rochester, NY 14650.

September 18-29, 1978. Two-week Law Enforcement Training Schools. To be held in Montana by the National Training Institute. For more details, see: September 4-15.

September 20, 1978. Unemployment and Crime Seminar. Conducted by the Institute of Criminology. For more information, write R.P. Roulston, Associate Professor of Law, the University of Sydney, Institute of Criminology, 173-175 Phillip Street, Sydney, N.S.W. 200; Australia.

September 20-23, 1978. Four-day Certified Course in Lie Detection and Stress Analysis: The Mark II Voice Analyzer. Presented by Law Enforcement Associates Inc., at the Hilton Gateway Hotel, Newark, NJ. Fee: \$395. For more details, consult: Law Enforcement Associates Inc., 88 Holmes St., Box 128, Belleville, NJ 07109. Telephone: (201) 751-0001.

September 21-24, 1978. Four-day seminar. Law Enforcement Hypnosis Seminar. To be held in Atlanta by the Law Enforcement Hypnosis Institute, Inc. Tuition \$395. For registration and more information contact: Dr. Martin Reiser, Director, Law Enforcement Hypnosis Institute, Inc., 303 Gretna Green Way, Los Angeles, CA 90049. Telephone: (213) 476-6024.

September 25-29, 1978. Advanced Techniques in Crime Analysis Workshop.

To be at the Portofino Hotel, Los Angeles. Presented by the Theorem Institute. For more complete information consult: August 28-30.

September 25-29, 1978. Police Juvenile Procedures Course. To be held in Norfolk, Virginia by the International Association of Chiefs of Police. For more details, consult August 28-31.

September 25-29, 1978. Special Weapons and Tactics Course. Presented by The Center for Criminal Justice of Case Western Reserve University. Fee: \$125. For additional details, see: September 12-14.

September 25-October 6, 1978. Investigative Techniques of Maryland, Conferences and Institutes Division. For more details, contact: Director, Law Enforcement Institute, University of Maryland, Conferences and Institutes Division, University Boulevard at Adelphi Rd., College Park, MD 20742. Telephone: (301) 454-5241

September 27-29, 1978. Strategies for Change Course. Presented by Theorem Institute. To be held at the El Cortez Hotel in San Diego. Fee: \$225. For more information, consult. August 28-30.

October 3-5, 1978. Seminar: Audits/Financial Investigations that Detect Fraud and Embezzlement. Conducted by the Association of Federal Investigators at the International Inn in Washington DC. Fee: \$225. For more information, contact: Association of Federal Investigators, 815 15th St., NW Washington, DC 20005. Telephone: (202) 347-550 - 653-6865

October 4-6, 1978. Hostage Negotiation Course. Conducted by the Florida Institute for Law Enforcement. Conducted by the Florida Institute for Law Enforcement. Fee: \$125. For more details, consult: September 11-15.

October 4-6, 1978. Handling Hazardous Materials Transportation Emergencies Seminar. To be held in Springfield, Massachusetts by the National Fire Protection Association. For more details, contact: James V. McKiernan, Senior Fire Service Training Specialist, National Fire Protection Association, 470 Atlantic Ave., Boston, MA 02210.

October 5-7, 1978. Facilitating Personnel and Career Planning Seminar. To be in Cincinnati by the Interface Resource Group. Fee: \$275 covers all cost. For further information and registration, call or write: Program Coordinator, Interface Resource Group, 3112 Wayne Ave. Dayton, OH 45420. Telephone: (513) 254-6775.

October 9-12, 1978. Program Management for Police Supervisors. Conducted by the University of Maryland, Conferences and Institutes Division. For further information, consult: September 25-October 6.

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Va. cop tells why his PD is #1 in reducing auto thefts

Continued from Page 7

formants who, in many instances, have little, or nothing to do with the crime itself.

The Hampton detective has developed a profile of the typical car thief in his city, noting that the usual perpetrator is a male, about 16 years of age, who steals a car for the purpose of joyriding.

Crigger stated that approximately 80 percent of the vehicles stolen in Hampton are taken on joy rides and are later found abandoned on the city's streets. About 10

percent of the stolen vehicles are taken for transportation from Hampton to some other community and then left abandoned, while another 10 percent are stolen for parts and are usually found stripped or partially dismantled.

Based on his findings, the investigator said he does not believe that the stolen car experience in Hampton is the result of any organized car theft ring. He attributed a large proportion of the Hampton car thefts to owner carelessness, noting that 80 percent of the vehicles are taken with the keys in the ignition, and only 20 percent are hot-wired.

Crigger revealed that auto sale lots have become a major target for juveniles who are planning a car theft, because it is apparently easier to steal a vehicle from a car lot than from an individual.

Many of the juvenile car thieves that Crigger questions after arrest tell him they did not consider the consequences of their crime, saying that they spotted the keys in the car's ignition and decided to take it.

Although the detective acknowledged that it is difficult to identify patterns or typical situations in juvenile auto theft, he recalled one recent incident where he arrested six juveniles involved in stealing seven different vehicles, and all six came from broken, fatherless homes.

"We don't really have a serious vehicle theft problem in the City of Hampton," he observed, "but what we have is another juvenile delinquency problem where some kids just aren't getting proper direction.

Don't Hide It

Why not pass this issue of Law Enforcement News along to a colleague after you have finished it?

New products for law enforcement

Items about new or modified products are based on news releases and/or other information received from the manufacturer or distributor. Nothing contained herein should be understood to imply the endorsement of Law Enforcement News.

MESSAGE REPEATER — Echo-1 utilizes a standard cassette tape to automatically record, store and playback on command emergency telephone or radio transmissions. A one-button replay function instantly rewinds the tape to the beginning of the last recorded dispatch, allowing an operator to review the message in its entirety.

The device is designed to leave the dispatcher free to concentrate on the immediate action to be taken in the event of an emergency call by guaranteeing that the verification of details can be recalled at a later time.

Housed in a self-contained 17"x5"x11" cabinet, Echo-1 features CMOS integrated circuits which are engineered for high reliability, high noise immunity and low power requirements. Operation of the unit is accomplished through a contact push switch status/control panel, which incorporates the use of light emitting diodes to monitor all functions including end of tape.

A built-in time code generator/reader can be ordered to tag each message with the exact time that it was received. The optional device produces a reference signal which is recorded on one channel and is displayed in the playback mode on a crystal-controlled digital clock. The display always shows real time except in the recall or play mode, when it displays the actual time that the message was recorded on the tape.

Other available options include battery back-up power for the time code generator, an L.E.D. tape position counter, full remote control capability, monitor headphones, telephone company interface, and a foot pedal control.

For more details, write or call: International Systems Bureau, P.O. Box 646, Melville, NY 11746. Telephone: (516) 752-9755.

SECURITY WINDOWS — The Insulgard Corporation is offering an extensive line of bullet-resistant, transparent security installations, ranging from parcel transfer enclosures to full entrance doors.

All of the units are available fabricated from materials rated by Underwriters' Laboratories (UL) as Class I, II or III, bullet resisting. For maximum security installations, Lexgard, a plastic transparent laminate developed by General Electric, is recommended. It is listed by UL as a Class III material and has been tested as being impervious to a slug fired from a .44 Magnum revolver.

A number of parcel transfer systems, which incorporate the use of Lexgard, can be ordered from Insulgard. They include a unit with a mechanically secured lock designed for large packages and an electronically operated pass-through, which can accommodate small objects such as bottles, small boxes and cash bags.

The parcel pass-throughs can be used in conjunction with the company's Modular Work Station, which utilizes a system of staggered transparent panels with short return baffles to provide a secure enclosure while allowing two-way communication without the need for electronic devices.

For additional information, contact: Robert Potowski, Product Manager, Insulgard Corporation, 98-34 Jamaica Avenue, Richmond Hill, NY 11418.

SEISMIC ALARM ADAPTOR — Pac-A-Dap is a solid state module which can be wired into the central control panel of a new or existing alarm system, enabling it to detect any high frequency shock that may indicate a forced intrusion attempt.

Developed by Lutton Industries' Poly-Scientific Division, the device can accommodate up to 50 Terminus shock sensors, which can be attached to walls, windows, fences or other security barriers. The one-inch square sensors detect any high frequency shock and signal an alarm to the central control panel. They will not be triggered by low frequency vibrations such as those caused by passing traffic or wind.

The Pac-A-Dap module can be adjusted to different levels of responsiveness as required by the user's changing security needs. It operates from either the alarm's 12-volt power supply or a separate electrical source.

More details can be obtained by writing: Poly-Scientific, 1213 North Main Street, Blacksburg, VA 24060.

BENDABLE FLASHLIGHT — Flex-Lite is a miniature lighting device attached by a flexible cable to a power source which enables the user to illuminate recessed or hard-to-view areas.

Available in seven different models which feature various bulb and power source sizes, the Flex-Lite can be ordered with varying interchangeable cable lengths, ranging from 4 1/2 to 36 inches.

While most of the models utilize two "D" cells or two "AA" penlight batteries, a battery case extender can be screwed on to the larger units to provide three-cell illumination. An illuminating magnifier, designed to provide clear 6X magnification, is also available as is an adjustable illuminating mirror which swivels to permit access to particularly tight openings.

For an illustrated brochure which describes the entire Flex-Lite line, write or call Flex-Lite, Inc., 3521 East Kilgore Road, Kalamazoo, MI 49001. Telephone: (616) 281-6726.

EXTRACTOR COLLAR — Designed for use in all Smith & Wesson "K" and "N" frame revolvers with four-inch barrels or longer, the Aristocrat Extractor Rod Safety Collar facilitates quick reloading by preventing spent shells from becoming jammed in the weapon's extractor mechanism.

Machined to fit in place of the original extractor rod collar, the device allows the extractor to remove expended cases only far enough to provide complete ejection.

Modification of Smith & Wesson revolvers to accommodate the Aristocrat reportedly takes less than five minutes. When properly installed, the device will not affect any other function of the weapon.

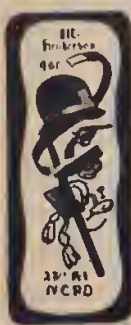
To obtain an order form, which includes installation instructions and diagrams, write or call: Cheshire & Perez dist., Inc., 136 East Walnut Avenue, Monrovia, CA 91016. Telephone: (213) 359-5345.

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Law Enforcement News is seeking state correspondents to write stories dealing with topics of interest to the criminal justice community.

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